



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
NATIONAL VEHICLE AND FUEL EMISSIONS LABORATORY  
2565 PLYMOUTH ROAD  
ANN ARBOR, MICHIGAN 48105-2498

OFFICE OF  
AIR AND RADIATION

January 11, 2021

CD-2021-02 (LDV, LDT, ICI)

**Subject: Extension of Temporary Updates to Criteria for Manufacturer-Conducted Confirmatory Testing For 2022 Model Year Vehicles (COVID-19)**

Dear Manufacturer:

The purpose of this manufacturer information letter<sup>1</sup> is to provide manufacturers with updated criteria (cut points) for manufacturer-conducted confirmatory testing of emissions and fuel economy vehicles for 2022 model year (M.Y.). The criteria set forth in this letter are temporary due to the COVID-19 pandemic, and these criteria automatically become invalid when rescinded by written notification. These criteria were previously announced in [CD-2020-07](#) (May 4, 2020). The EPA is now revising this to include 2022 M.Y. Tests conducted for model years 2020, 2021, and now 2022 are subject to the criteria in this letter unless it is rescinded. Manufacturers will be instructed which cut points to use in subsequent written notification, but at this time, the EPA expects to reinstate the criteria in [CD-15-22](#). The EPA may rescind this letter, via written notification, at any time if conditions warrant.

**Background**

Manufacturers are required to perform confirmatory testing if the vehicle meets any of the criteria outlined in 40 CFR 86.1835-01(b)(1) and 600.008(b)(1). The requirement to complete confirmatory testing is triggered when manufacturers complete their initial certification testing and/or fuel economy testing if any of those criteria are present. As described above, this letter updates those criteria only for tests that would trigger the confirmatory testing requirement that have already taken place or take place before this letter is rescinded.

EPA letter CD-15-22, published on December 14, 2015, lays out the five current criteria cut points. This manufacturer information letter, CD-2021-02, updates the cut points for three of the five criteria: High Emission Levels, High Fuel Economy and Potential Fuel Economy Class

---

<sup>1</sup> The contents of this document do not have the force and effect of law and are not meant to bind the public in any way. This document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies.

Leader. Enclosure 1 of this letter lists the criteria cut points for all five conditions. CD-2021-02 temporarily supersedes previous criteria cut points provided in Enclosures 1, 2 and 3 of EPA letter CD-15-22. Those enclosures are included here for your reference.

Please note that no changes are being made to the other two criteria that were originally established in EPA letter VPCD-99-06 dated April 22, 1999.

Due to the COVID-19 pandemic, the National Vehicle and Fuels Emission Laboratory (NVFEL) is currently operating at reduced capacity. Additionally, the states of Michigan and California, where many manufacturer test labs and third-part test labs are located, are requiring special procedures in laboratory settings that similarly reduce the testing capacity of the industry at large. Given the reduced capacity for repeat confirmatory testing by manufacturers, and the Agency's view that other forms of required compliance and oversight testing provide greater assurance of emissions compliance, we find it appropriate to set these new temporary cutpoints for determining which vehicles will be subject to a second (i.e., confirmatory) test by manufacturers. Note that these adjusted cutpoints have no impact on the number of vehicles or kinds of tests a manufacturer is obligated to perform for EPA. Rather, these changes only reduce the number of duplicate tests manufacturers are obligated to complete to confirm the manufacturer's own initial test results. Likewise, these temporary cutpoints in no way relax or change the emissions performance requirements of vehicles under EPA's regulatory programs.

We expect that changes outlined in this letter will reduce manufacturers' own confirmatory testing during the COVID-19 pandemic allowing those testing resources to be used to complete higher value emissions compliance related testing. EPA will continue to monitor the situation and will rescind or extend the timing of this change as conditions warrant. Any changes will be announced with a follow-up manufacturer information letter. If you experience any issues with certification testing not covered by this letter, please contact your certification team representative with the details of your issue. If you have any questions about this letter, please contact your certification team representative.

Sincerely,



Byron J. Bunker, Director  
Compliance Division  
Office of Transportation and Air Quality

Enclosures

**Enclosure 1 to CD-2021-02**  
**Criteria for Confirmatory Test Selection**

1. **Failure or Replacement for Failed Vehicle.** The vehicle configuration has previously failed an emission standard, or the vehicle is a replacement for a failed vehicle. The FTP test should be run for vehicles selected under this criterion, regardless of the test procedure on which the emission standard failed. An HFET, evaporative, refueling, US06 (or US06 equivalent for HDV), cold temperature NMHC/CO test should be conducted (in addition to the FTP test) if the vehicle failed any of those emission standards. If the vehicle failed the SFTP standard or other combined standard, any additional tests, beyond the FTP test should also be run. For example, if the SFTP standard is not met, the vehicle should be tested over the US06 (or US06 equivalent for HDV) and SC03 tests in addition to the normal FTP retest.
2. **High Emission Levels.** Any certification level (test level adjusted by the deterioration factor, or test level with aged components installed) that is more than 95% of the applicable standard. If more than one test was performed for any procedure, only the last test is considered for this criterion. An HFET, evaporative, refueling, US06 (or US06 equivalent for HDV), cold temperature NMHC/CO test should be conducted if the certification level was above 95% of the emission standard for that procedure. This requirement does not apply for fuel economy data vehicles (FEDV) when testing on E0 except for Greenhouse Gas Emission (GHG) standards as applicable (CH<sub>4</sub> and N<sub>2</sub>O).
3. **High Fuel Economy.** The fuel economy value of the city and/or highway test as measured in accordance with the procedures in 40 CFR Part 600 equals or exceeds the value contained in the cut point table in Enclosure 2. If more than one test was conducted, harmonically average all applicable tests prior to comparing the data to the cut point table. If the tested vehicle operates on a fuel other than gasoline, convert the fuel economy test results to equivalent gasoline fuel economy values using the conversion factors provided in Enclosure 4 and then compare the calculated value with the gasoline cut point tables.
4. **Potential Gas Guzzler.** The combined (unadjusted) fuel economy value as measured in accordance with the procedures in 40 CFR Part 600 is between 22.3 and 22.8 mpg. If more than one test was conducted, harmonically average the fuel economy values prior to calculating the combined fuel economy. Both city and highway tests must be run for vehicles selected under this criterion.
5. **Potential Fuel Economy Leader.** The fuel economy value as measured in accordance with the procedures in 40 CFR Part 600 equals or exceeds the value contained in the cut point table in Enclosure 3. If more than one test was conducted, harmonically average all applicable tests prior to comparing the data to the cut point table. If the tested vehicle operates on a fuel other than gasoline, convert the fuel economy test results to an equivalent gasoline fuel economy value using the conversion factors provided in Enclosure 4 and then compare the calculated value with the gasoline cut point tables. Perform only the city and/or highway test procedures identified using this criterion.

**Enclosure 2 to CD-2021-02**  
**Unadjusted MPG Cut Points for “High Fuel Economy” for Gasoline-Fueled Vehicles**  
**(values due to COVID-19 pandemic)**

<b>ETW</b>	<b>City-Cars</b>	<b>Hwy-Cars</b>	<b>City-Trucks</b>	<b>Hwy-Trucks</b>
All	86.6	81.5	63.2	56.7

**Enclosure 3 to CD-2021-02**  
**Cut Points for “Potential Fuel Economy Class Leaders” for Gasoline-Fueled Vehicles**  
**(values due to COVID-19 pandemic)**

Vehicle Class	Gasoline Fuel Economy Leaders				Diesel Fuel Economy Leaders Unadjusted mpg	
	Non-Hybrid Vehicles Unadjusted mpg		Hybrid Vehicles Unadjusted mpg			
	City	Hwy	City	Hwy	City	Hwy
All Vehicles	51.2	64.8	86.6	81.5	30.8	48.5