



ASSISTANT ADMINISTRATOR FOR AIR AND RADIATION

WASHINGTON, D.C. 20460

February 2, 2026



ATTENTION:

Request for Information under Section 208(a) of the Clean Air Act, 42 U.S.C. § 7542(a)

The U.S. Environmental Protection Agency (EPA) is issuing this Request for Information (“Request”) under Section 208(a) of the Clean Air Act (CAA).¹ Under Section 208(a) of the CAA, the EPA may require any person who is subject to the CAA to provide information necessary to determine whether the person has acted in compliance with the requirements of the CAA and the regulations promulgated thereunder.

In his first year, EPA Administrator Lee Zeldin traveled to all 50 states to hear directly from communities how EPA regulations impact their daily lives. Across the 50 states, he heard concerns from farmers, construction companies, motor coach operators, and truck drivers about issues with Diesel Exhaust Fluid (DEF) systems leading to engine shutdown and preventing them from continuing their work. EPA regulations at 40 C.F.R. § 1068.501 require you to investigate whether engines that have been introduced into commerce under certificates issued to you have defective emission-related components or systems. This includes defects in design, materials, or workmanship.

We appreciate [REDACTED] meeting with EPA recently to update the Agency on your progress to develop improved selective catalytic reduction (SCR) inducement software in response to EPA’s August 2025 letter. The company’s diligent efforts in this regard are important, and we hope that [REDACTED] will provide the updated software for customers as soon as possible. However, we recognize that improved inducement systems are insufficient if there are defects in design, materials, or workmanship that cause the products to fail.

¹ 42 U.S.C. § 7542(a).

Therefore, the EPA requires [REDACTED] Power Systems and/or its affiliates (collectively [REDACTED]) to submit certain information as part of an EPA investigation to determine [REDACTED] compliance with Sections 203, 206, and/or 207 of the CAA² and the applicable regulations at 40 C.F.R. Part 1068. Exhibit A specifies the information that you must submit, Exhibit C provides instructions for your response to this request, and Exhibit D provides definitions for some of the terms used in this request.

You must submit the information requested within 30 calendar days from the date of this letter.

Failure to provide the required information may result in the initiation of a civil action pursuant to Section 205(b) of the CAA.³ Failure to provide all requested information in its entirety, and in the format requested may result in additional inquiries and penalties. It is important that your responses be clear, accurate, and complete. The EPA will regard submitted information that is misleading, false, incomplete, or submitted without regard to its accuracy as a violation of the CAA and/or criminal statutes. The EPA may use any information submitted in response to this request in an administrative, civil, or criminal action.

Finally, [REDACTED] must submit all requested information under an authorized signature with the following certification:

I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Clean Air Act, 42 U.S.C. § 7413(c)(2), and 18 U.S.C. §§ 1001 and 1341.

You are entitled to assert a business confidentiality claim covering all or part of the information you submit in response to this request, in accordance with the procedures described in the Confidentiality of Business Information (CBI) regulations, 40 C.F.R. Part 2, subpart B. However, no such CBI claim may be made with respect to emissions data as defined at 40 C.F.R. § 2.301(a)(2). You must specify the page, paragraph, and sentence when identifying the information subject to your claim. Exhibit B specifies the assertion and substantiation requirements for CBI claims. The EPA may, without further notice, provide the public with any information not subject to a CBI claim.

Please submit all requested information electronically through the link that will be provided by the EPA once you have informed the EPA that the documents are ready to be transmitted. If certain information is unable to be transmitted electronically, please mail the document(s), via courier service or overnight delivery, to:

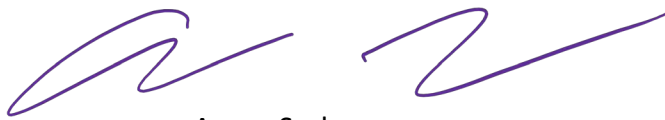
² 42 U.S.C. §§ 7522, 7525, 7541.

³ 42 U.S.C. § 7524(b).

Byron Bunker
U.S. Environmental Protection Agency
Office of Transportation and Air quality
2000 Traverwood Dr.
Ann Arbor, MI 48105

Any questions concerning this Request should be directed to Byron Bunker of my staff at Bunker.Byron@epa.gov or 734-353-9623.

Sincerely,

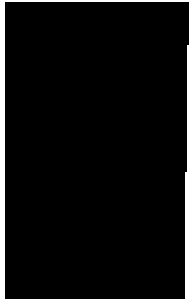
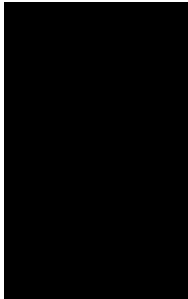
A handwritten signature in purple ink, consisting of a stylized 'A' followed by a series of loops and a long horizontal stroke.

Aaron Szabo
Assistant Administrator

EXHIBIT A
INFORMATION REQUEST FOR [REDACTED]

[REDACTED] must submit the following information to the EPA pursuant to Section 208 of the CAA⁴ regarding the warranty claims, repairs, and parts sales of certain Selective Catalytic Reduction (SCR) equipped diesel engines.

1. Provide the requested information, for the following engine families:



2. For each engine family identified in 1, list and provide a brief description of all Diagnostic Trouble Codes (DTCs) that can result in the engine going into SCR inducement. The description should list any components, including sensors, that are associated with the DTC.
3. For each engine family identified in 1 and DTC identified in 2, provide a count of individual warranty claims per calendar year since product introduction that references the DTC. Provide the information in tabular form listing Engine Family, DTC, Calendar Year, and total Count of warranty claims identifying the DTC in the calendar year. Where an individual warranty claim identifies multiple DTCs, calculate a fractional count per warranty claim per DTC. For example, if a warranty claim references two DTCs, increment the count for each DTC by 0.5 (half).
4. For each engine family identified in 1, provide a count of all warranty claims for the engine family per calendar year since production introduction. Provide the information in tabular form listing Engine Family, Calendar Year, and total count of warranty claims in the year.
5. For each engine family identified in 1 provide the total US directed production volume for the family.

⁴ 42 U.S.C. § 7542.

EXHIBIT B

CONFIDENTIAL BUSINESS INFORMATION

You may assert a business confidentiality claim covering all or part of the information you provide in response to this Request for any business information entitled to confidential treatment under Section 208(c) of the CAA⁵ and 40 C.F.R. Part 2, subpart B. Under Section 208(c) of the CAA, you are entitled to confidential treatment of information that would divulge methods or processes entitled to protection as trade secrets. Under 40 C.F.R. Part 2, subpart B, business confidentiality means “the concept of trade secrecy and other related legal concepts which give (or may give) a business the right to preserve the confidentiality of business information and to limit its use or disclosure by others in order that the business may obtain or retain business advantages it derives from its rights in the information.”⁶

Information covered by a claim of business confidentiality will be disclosed by the EPA only to the extent, and by means of the procedures, set forth in Section 208(c) of the CAA and 40 C.F.R. Part 2, subpart B. The EPA will construe your failure to furnish a business confidentiality claim with your response to this Request as a waiver of that claim, and the information may be made available to the public without further notice to you.

To assert a business confidentiality claim, you must place on (or attach to) all information you desire to assert as business confidential either a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as “trade secret,” “proprietary,” or “company confidential” at the time you submit your response to this Request. Allegedly confidential portions of otherwise non-confidential documents should be clearly identified, and may be submitted separately to facilitate identification and handling by the EPA. You should indicate if you desire confidential treatment only until a certain date or until the occurrence of a certain event.

The criteria the EPA will use in determining whether material you claim as business confidential is entitled to confidential treatment are set forth at 40 C.F.R. §§ 2.208 and 2.301. These regulations provide, among other things, that you must satisfactorily show that: (1) the information is within the scope of business confidentiality as defined at 40 C.F.R. § 2.201(e), (2) that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so, (3) the information is not and has not been reasonably obtainable by legitimate means without your consent, and (4) the disclosure of the information is likely to cause substantial harm to your business’ competitive position.⁷ Emission data, as defined at 40 C.F.R. § 2.301(a)(2), is expressly not entitled to confidential treatment under 40 C.F.R. Part 2, subpart B.⁸

⁵ 42 U.S.C. § 7542.

⁶ See 40 C.F.R. § 2.201(e).

⁷ See 40 C.F.R. § 2.208 (a)-(e).

⁸ See 42 U.S.C. § 7542(c); 40 C.F.R. § 2.301(e).

If you assert a claim of business confidentiality in connection with information and documents forwarded in response to this request for information, in accordance with 40 C.F.R. § 2.204(e)(4), the EPA is requesting that you answer the following questions with respect to any information or document for which you assert a claim of business confidentiality:

1. What specific portions of the information are alleged to be entitled to confidential treatment? Specify by page, paragraph and sentence when identifying the information subject to your claim.
2. For what period of time do you request that the information be maintained as confidential, e.g., until a certain date, until the occurrence of a specified event or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, specify that event. Additionally, explain why the information should be protected for the time period you've specified.
3. What measures have you taken to protect the information claimed as confidential from undesired disclosure? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information still be considered confidential?
4. Is the information contained in any publicly available material such as the Internet, publicly available databases, promotional publications, annual reports or articles? Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that you would customarily not release to the public?
5. Has any governmental body made a determination as to the confidentiality of the information? If so, please attach a copy of the determination.
6. For each category of information claimed as confidential, explain with specificity whether disclosure of the information is likely to result in substantial harm to your competitive position. Explain the specific nature of those harmful effects, why they should be viewed as substantial, and the causal relationship between disclosure and such harmful effect. How could your competitors make use of this information to your detriment?
7. Is there any other explanation you deem relevant to the EPA's determination of your business confidentiality claim that is not covered in the preceding questions? If so, you may provide such additional explanation.

You must furnish comments to the above questions concurrent with your response to this Request if you have claimed any information as business confidential.⁹ Pursuant to 40 C.F.R. § 2.205(b)(2), you may request an extension of this deadline. The EPA will construe your failure to furnish timely comments as a waiver of your confidentiality claim, consistent with 40 C.F.R. § 2.204(e)(1). Please submit your comments to:

⁹ See 40 C.F.R. § 2.204(e)(2).

Byron Bunker
U.S. Environmental Protection Agency
Office of Transportation and Air quality
2000 Traverwood Dr
Ann Arbor, Mi 48105

Pursuant to 40 C.F.R. § 2.205(c), you are hereby advised that information you submit as part of your comments may be entitled to confidential treatment if, when it is received by EPA, it is marked in accordance with 40 C.F.R. § 2.203(b). As required by 40 C.F.R. § 2.204(e)(6), you may assert a business confidentiality claim covering all or part of your response to these questions, as provided in 40 C.F.R. § 2.203(b). By submitting this information, you are consenting to a limited release of any confidential business information to EPA legal interns pursuant to 40 C.F.R. §2.209(f). EPA's legal interns are required to sign confidentiality agreements as a requirement of their participation in EPA related matters. Information covered by such a business confidentiality claim will be disclosed by EPA only to the extent, and by means of the procedures, set forth in Section 114(c) of the Clean Air Act (the Act) and 40 C.F.R. Part 2. EPA will construe the failure to furnish a confidentiality claim with your comments as a waiver of that claim, and the information may be made available to the public without further notice to you.

EXHIBIT C

INSTRUCTIONS

1. You must promptly supplement your response in the event that you learn that you possess responsive documents or information not yet produced, or gain possession, custody or control of responsive documents or information after initially responding to this Request.
2. Provide responses to this Request in English, in written document form, and in electronic form using spreadsheet or word processing software (e.g., Word or Excel) or in PDF format, provided you have access to such software. Provide documents in the original language along with the English translation.
3. Where documents or information necessary for a response are not in your possession, custody, or control, indicate in your response why such information is not available or in your possession, custody or control, and identify any source that either possesses or is likely to possess such information.
4. All submitted documents should be copies and not original documents.
5. Indicate on each document produced the number of the question to which it corresponds.
6. Where [REDACTED] has previously submitted to the EPA information requested herein, re-submit the information in the format requested. Identify the material that was previously provided, the date on which it was provided, and the person at the EPA to whom it was provided.

EXHIBIT D
DEFINITIONS

1. All terms used in this Request will have their ordinary meaning unless such terms are defined in the CAA¹⁰ or the regulations found at 40 C.F.R. Part 1068.
2. The terms “document” and “documents” means any object that records, stores, or presents information, and includes writings, memoranda, records, or information of any kind, formal or informal, whether wholly or partially handwritten or typed, whether in computer format, memory, or storage device, or in hardcopy, including any form or format of these. The term includes electronic mail and text messages. If in computer format or memory, each such document must be provided in translation to a form useable and readable by the EPA, with all necessary documentation and support. All documents in hard copy also should include attachments to or enclosures with any document.
3. The terms “Diagnostic Trouble Codes (DTCs)” means any codes stored in a vehicle or engine’s computer control unit used to identify a malfunctioning system or component including but not limited to codes required by On Board Diagnostic (OBD) regulations of 40 CFR parts 86 and 1036 consistent with the SAE J2012 standard.
4. The term “SCR inducement” means strategies to cause a performance degradation that is sufficient to discourage operation without Diesel Exhaust Fluid (DEF) as a method of showing that scheduled maintenance of critical emission-related equipment is reasonably likely as outlined in EPA guidance documents CISD-07-07, issued on March 27, 2007; CISD-09-04 issued on December 30, 2009; and IACD-2025-10 issued on August 11, 2025.
5. The term “person” includes a corporation, partnership, limited liability company, sole proprietorship, joint venture, or any formal or informal entity, organization or association.
6. The terms “you” and “your” include [REDACTED], and any affiliates, predecessors, successors, and assigns.
7. “Affiliate” or “affiliated” - used to indicate a relationship to a specified person, and means any person that, directly or indirectly or through one or more intermediaries, owns or controls, is owned or controlled by or is under common ownership or control with such person.

¹⁰ 42 U.S.C. §§ 7401 *et seq.*