



TPEM Requirements

NOTIFICATION, REPORTING & RECORDKEEPING REQUIREMENTS



Tier 4 TPEM Notification & Reporting Requirements

- To participate in TPEM, equipment manufacturers must:
 - Notify EPA – (Form 5900- 242)
 - Request TPEM engines from engine manufacturer in writing
 - Submit a report every year (Form 5900-240)
 - By March 31 of the year after using allowances
- Engine Manufacturers must submit an annual report
 - Form 5900-241
 - In addition to annual production report
 - While the annual production report is submitted through VERIFY, TPEM annual reports must be submitted to TPEM-Cl@epa.gov.
- Bond Spreadsheet – use to calculate size of bond or apply for waiver
 - No need to submit unless applying for bond
- All forms available at <http://www.epa.gov/otaq/certdat2.htm#tpem>
 - Please check website for updated forms before submitting your next report
- All forms must be submitted to TPEM-Cl@epa.gov



Responsibility for Data Submitted

- 40 CFR § 1068.25(c): “You are responsible for statements and information in your...requests or reports. If you provide statements or information to someone for submission to EPA, you are responsible for these statements and information as if you had submitted them to EPA yourself. For example, knowingly submitting false information to someone else for inclusion in an application for certification would be deemed to be a submission of false information to the U.S. government in violation of 18 U.S.C. 1001.



Notification

- Notification of intent to participate – § 1039.625(g)(1)
 - Must be submitted before using TPEM provisions
 - Use Form 5900- 242
 - Specify parent company's name and address, if applicable
 - Specify allowance to be used and your best estimate of the number of flex equipment you expect to produce in each power category per year
 - It is only an estimate – no need to resubmit if estimates change
 - Include report for prior Part 89 participation
 - Registration process, not an application process
 - EPA will not respond or send approval letter



Annual Reports

- Equipment manufacturer annual production volume report – § 1039.625(g)(2)
 - Must be submitted by March 31 of the year following each year TPEM allowances are used
 - Total count of units sold/produced in preceding year for each power category, based on actual US-directed production information
 - Percentages of US-directed production that correspond to number of units in each power category and cumulative numbers and percentages (if applicable) of units for all TPEM units sold/produced for each power category
 - Manufacturer of the TPEM engine installed in the equipment produced if different than specified in initial notification
 - Clearly label your file: [Year][Company Name]TPEM Report.xlsx



Foreign Manufacturers

- Foreign equipment manufacturers – § 1039.626
 - Must submit the notification and reports described earlier, including a letter of commitment to comply with requirements
 - Signed by the president or owner of the equipment manufacturing company (§ 1039.626(a)(5))
 - Template under development – check website
 - Post a bond
 - Only needs to submit information if requesting a bond waiver
 - To apply, must submit a list of long-term assets in the US with values totaling at least the thresholds set forth in § 1054.690(a)
 - See slide entitled “TPEM Bond Waivers” for details



Importers

- Importers who do not qualify as equipment manufacturers (§ 1039.626 (b))
 - May use TPEM only if each engine is part of an allowance provided to an equipment manufacturer
 - TPEM limits and reporting requirements must be followed for each equipment manufacturer
 - Must ensure that each equipment manufacturer files notification and annual reports
 - Must ensure that each equipment manufacturer is meeting all limits and requirements of the allowance they chose for each power category
 - If the equipment manufacturer has exceeded their allowance, the imported engine is not part of an allowance/not covered by TPEM
 - Must submit a notification as an importer, including:
 - Name & address of all equipment manufacturers you are importing for
 - Best estimate of the number of engines you will import during your TPEM participation, per power category and equipment manufacturer
 - Previous Part 89 participation
 - Must submit annual report
 - Total number of engines by engine & equipment manufacturer
 - Submit by March 31 of the following year
 - Bond requirements apply
 - Please check website for upcoming templates



Engine Manufacturer's Annual Reports

- Report number of flex engines produced by buyer or shipping destination (§ 1039.625(j) and § 1039.250(a)(2))
 - Use Form 5900-241
 - Submit to TPEM-CI@epa.gov
 - Must be submitted within 45 days after the end of the model year
- This is in addition to Annual Production Report
 - Annual Production Report (§ 1039.250(a)(1) – Form 5900-90) includes only certified engines produced during the year
 - Please note: while the annual production report is submitted through VERIFY, TPEM annual reports must be submitted to TPEM-CI@epa.gov .



Recordkeeping Requirements

- Equipment manufacturers must keep records of all exempt equipment sufficient to demonstrate compliance
 - for at least five full years after the final year in which allowances are available for each power category (§ 1039.625(h))
 - These records must be made available to EPA upon request
- Records must include:
 - Equipment and engine model numbers, serial numbers & dates of manufacture of each engine and piece of equipment & maximum power of each engine
 - Total number or percentage of flex equipment and all documentation supporting your calculation
 - All TPEM notifications and reports
 - Sufficient information for verification (§ 1039.625(g))



Recordkeeping Requirements

- Engine Manufacturers must keep records for eight years
 - 40 CFR § 1039.250(c) & § 1068.25(b)
 - Store records in any format and on any media, as long as you can promptly send us organized, written records in English if we ask for them (40 CFR § 1039.250(c) & (d))
 - Must keep records readily available
 - We may review them at any time