



United States
Environmental Protection Agency
Office of Transportation and Air Quality

Transition Program for Equipment Manufacturers
COMMITMENT TO COMPLY STATEMENT

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About this form:

This form is to be used by foreign manufacturers and importers of equipment exempted under the Transition Program for Equipment Manufacturers (TPEM, 40 CFR Part 1039.625) as the commitment to comply statement required under 40 CFR 1039.626(a).

By signing this statement, you agree that you understand your obligation to give EPA representatives “complete and immediate access” to any of your company’s facilities, employees and records located outside the US for audit or inspection as a condition of your participation in TPEM as a foreign manufacturer or importer. The audit or inspection could be announced or unannounced. You must also provide assistance to EPA representatives at your foreign facilities, such as providing translators and English-translations of relevant documents. 40 CFR 1039.626(a) expands on the requirements of 40 CFR 1068.20, which also applies to domestic manufacturers. Please note that under 1068.20(f), “If you have facilities in other countries, we expect you to locate them in places where local law does not keep us from inspecting...” Failure to provide access for audits or inspections may result in penalties under 40 CFR 1068.101(a)(3).

Instructions:

Per 40 CFR 1039.626(a)(5), this statement must be signed by the owner or president of the company which manufactures the equipment being imported. Submit this Commitment to Comply to TPEM-CI@epa.gov along with your notification of participation. Visit our TPEM website at <https://www.epa.gov/vehicle-and-engine-certification/transition-program-equipment-manufacturers-tpem> for additional information about the program.

Obligation to submit truthful information:

Per 40 CFR 1068.25, “you are responsible for statements and information in [this document]. ... 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”.

