

## United States Environmental Protection Agency Office of Transportation and Air Quality

### Transition Program for Equipment Manufacturers COMMITMENT TO COMPLY STATEMENT

EPA Form Number 5900-432

Version 1.1; Last Modified: August 2018

#### 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 <u>must</u> be signed by the owner or president of the company which manufactures the equipment being imported. Submit this Commitment to Comply to <u>TPEM-CI@epa.gov</u> along with your notification of participation. Visit our TPEM website at <a href="https://www.epa.gov/vehicle-and-engine-certification/transition-program-equipment-manufacturers-tpem">https://www.epa.gov/vehicle-and-engine-certification/transition-program-equipment-manufacturers-tpem</a> 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".

# United States Environmental Protection Agency Office of Transportation and Air Quality

## Transition Program for Equipment Manufacturers IMPORTER'S COMMITMENT TO COMPLY STATEMENT

EPA Form Number 5900-432

Version 1.1; Last Modified: August 2018

#### **COMMITMENT TO COMPLY**

I attest that I have read and understood US EPA regulations at 40 CFR 1039.626, which sets the requirements for importing equipment exempted under the Transition Program for Equipment Manufacturers (TPEM, 40 CFR Part 1039.625) into the United States of America. I, therefore, commit to comply with the requirements and obligations set forth at 40 CFR 1039.625 and 1039.626, including giving EPA representatives complete and immediate access to any of our facilities, employees and records located outside the United States for audit or inspection.

I also attest that I am the owner or president of the company which manufacturers the equipment being imported into the US.

Signature	Date
Name:	
Title:	
Company:	
Parent Company:	
Phone Number:	
E-mail Address:	
Postal Address:	

The public reporting and recordkeeping burden for this collection of information is estimated to average 10 minutes per response. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Director, Collection Strategies Division, U.S. Environmental Protection Agency (2822T), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB Number 2060-0369 in any correspondence. Do not send the completed form 5900-432 to this address.