



Massachusetts Department of Environmental Protection
Environmental Results Program
Compliance Certification Instructions
Engines and Turbines (Non Emergency Units)

1. What is the ERP Compliance Certification?

Operators of new engines with a rated power output equal to or greater than 50 kW or new turbine with a rated power output less than or equal to ten megawatts installed after March 23, 2006 are required to certify to the Department of Environmental Protection (MassDEP) that they are complying with the environmental protection requirements that apply to their new engine or turbine. You must submit the initial compliance certification 30 days prior to initial operation. The *certification forms* and the accompanying guidance materials have been designed to enable you to fill out the *ERP Certifications* by yourself.

MassDEP strongly advises you to review this material well in advance of the submittal deadline. While many facilities have all of the equipment they need to comply with environmental standards and are operating in compliance with the requirements, *some businesses may need to take additional steps to comply.*

The certification package has three parts:

- 1. Compliance Certification:** The Installation Compliance Certification Form has three sections: *Facility Information* that identifies the facility and a contact person, *Compliance Questions*, which are a series of mostly “yes” or “no” questions about whether or not your facility is following the applicable environmental requirements, and a *Certification Statement* to be signed by the facility owner or certain other specified senior managers. A Return to Compliance Form describes the action(s) and deadline(s) for the action(s) you will take to return to compliance if you answer no to certain questions on the Installation Compliance Form.
- 2. Supplier Certification of Emission Performance:** A certification filled out by the engine or turbine supplier that certifies that the emissions from the unit will meet the applicable emission requirements in 310 CMR 7.26(43) Tables 1, 2, and 3.
- 3. ERP Engine and Turbine Compliance Workbook:** The workbook contains the regulatory information you need to complete the Certification form and certify compliance with the applicable requirements.

2. Do I have to certify?

The program applies to all new engines with a rated power output equal to or greater than greater than 50 kW or turbines with a rated power output less than or equal to ten megawatts installed after March 23, 2006

3. How do I submit a Compliance Certification?

If ERP applies to your facility, you are required to complete an *Initial ERP Compliance* Certification form for each new engine or turbine 30 days prior to starting operation and mail it to MassDEP.



Massachusetts Department of Environmental Protection
Environmental Results Program
Compliance Certification Instructions
Engines and Turbines (Non Emergency Units)

Certifications should be mailed to the following address:

MassDEP - ERP – E & T
P.O. Box 120-165
Boston, MA 02112-0165

4. How do I fill out the Compliance Certification?

1. Read the workbook to understand the environmental protection requirements that apply to your facility.
2. Answer all of the questions on the *Installation Compliance Certification* form. Refer to *Section 7* below, *Step by Step Instructions for Filling out the ERP Compliance Certification* on page 3.
3. When you have answered all of the questions, sign the *Certification Statement*.
4. Have the supplier fill out and sign a copy of the *Supplier Certification of Emissions Performance*.
5. Make a copy of the complete package for your records.
6. Mail the package in the enclosed envelope (or another envelope if you have misplaced the one included with the package) to the above address.

5. Does the Compliance Certification cover all compliance requirements?

Some facilities may be subject to additional state, federal or local environmental standards that are not covered by the Installation Compliance Certification. You still must comply with these requirements, even though they are not included on the Certification. Additional state requirements that may apply to your facility include air pollution control (source registration), industrial wastewater, or hazardous waste management requirements for activities other than emergency engine or emergency turbine operation or other regulatory programs including: reporting and planning under the Toxics Use Reduction Act¹, water supply cross connections², ground water withdrawal permits³; wetlands and waterways protection requirements⁴, and hazardous waste site clean-up requirements⁵. Additional federal requirements that may apply to your facility include 40 CFR 63 part ZZZZ, 40 CFR 60 part IIII and 40 CFR 60 part JJJJ.

¹ You may be subject to the Toxics Use Reduction Act if you use more than 10,000 pounds per year of a toxic chemical listed on the Federal CERCLA or EPCRA chemical lists. Chemical MSDSs state whether a chemical is on one of these lists.

² You may be subject to water supply cross connection regulations if you are required to have a backflow prevention device which prevents wastewater from being pulled back into your water supply lines.

³ You may be subject to groundwater withdrawal regulations if you take your process water from an onsite, private well.

⁴ You may be subject to wetlands and waterways regulations if you are doing construction in or near a wetland or in a tideland, or if you have a Tidelands License under Chapter 91.

⁵ You may be subject to hazardous waste site clean-up requirements if there has been a spill or release of a hazardous waste or chemical on your property, or if you are undertaking a remedial action to clean up hazardous wastes.



Massachusetts Department of Environmental Protection
Environmental Results Program
Compliance Certification Instructions
Engines and Turbines (Non Emergency Units)

What is my ERP certification fee?

There is **no** fee associated with the *ERP Engine or Turbine Compliance Certification*.

6. Step by step instructions for filling out the Compliance Certification

Facility Information

This section requests facility information including your Federal Employer Identification number (FEI) from your state and Federal income tax forms, your mailing address and contact information as indicated.

Compliance Questions

These questions provide MassDEP with some background information about your engine or turbine and information about following the environmental protection standards and requirements that apply to it. The workbook contains the information you will need to determine how to answer the questions. The form tells you where in the workbook you can find information about the environmental requirements referred to in each question. *MassDEP strongly advises you to consult the workbook before answering any questions.* Most of the questions are “yes” or “no” questions about compliance with particular requirements or standards.

If you are NOT in compliance with the requirement on the date you certify, you must complete a *Return to Compliance Plan* and submit it with the *Initial Compliance Certification*.

- Please note that it is your responsibility to keep your facility in compliance with environmental protection requirements at all times. You may be subject to enforcement action if you do not comply with the standards. You should be able to come into compliance with all of the standards by the time you complete the certification. Return to Compliance Plans are needed only for those problems that you were unable to correct prior to certifying.



Massachusetts Department of Environmental Protection
Environmental Results Program
Compliance Certification Instructions
Engines and Turbines (Non Emergency Units)

Certification Statement

The *Certification Statement* is a preprinted statement which says that the person signing the form:

- has reviewed it,
- believes the information being submitted is true,
- will make sure that management systems are in place that will keep the facility in compliance with environmental protection requirements, and
- understands that there may be serious consequences for submitting false inaccurate or incomplete information to MassDEP.

The statement may only be legally signed by the facility owner or certain other types of senior managers. The types of managers that are allowed to sign the statement are listed below the space for the signature. The person who signs the form must also print or type his or her name and title on the appropriate lines, date the form, and check the space next to the type of manager he or she is. Note that you must hold one of the titles listed on the form to legally sign it.