



Massachusetts Department of Environmental Protection
Environmental Results Program

Compliance Certification Instructions for Outdoor Wood Fired Hydronic Heaters (OHH)

Instructions for filling out the Compliance Certification

Manufacturer's Information

This section lists the name and address of your Manufacturing business, the model name/number of the OHH for certification, the individual MassDEP should contact if there are questions about your *Certification*, and your Federal Employer Identification number (FEIN) from your state and Federal income tax forms.

When to Certify

A manufacturer may certify at any point in time after the model has been tested by an approved lab, reviewed by EPA's Environmental Technology Verification (ETV) group and is in compliance with the substantive requirements on the certification. The substantive requirements on the certification are indicated by a statement "Not Qualified for Certification" when the answer to the compliance question is NO. Manufacturers that have participated in EPA's voluntary OHH program and have OHH models listed on EPA's web site, <http://www.epa.gov/woodheaters/models.htm> as qualified phase II models, have until April 1, 2009 to submit their certification for that model.

Compliance Questions

These questions provide DEP with some background information about your manufacturing business and information about whether or not your manufacturing business is in compliance with the regulatory requirements necessary for certifying an OHH model for sale in the Commonwealth of Massachusetts. Most of the questions are "yes" or "no" questions about compliance with particular requirements or standards. The certification is valid for a five year period. Recertification of a model is required after this five year period has ended. It is the responsibility of the manufacturer to recertify before the five year period expires.

If you are not in compliance with a specific requirement on the date that you intend to certify and a statement that "you do not qualify for certification" applies to the response for that substantive requirement, then you can not complete the certification at this time. If a statement that you must "submit a Return to Compliance Plan" ("RTC") plan applies to your response, then you may complete the RTC plan and continue with the certification process.

- Please note that it is the responsibility of the manufacturer to maintain compliance with environmental protection requirements during each year that the certification applies. You may be subject to enforcement action if you do not comply with the regulatory standards. You should be able to come into compliance with all of the standards by the time you complete the certification. "NO" answers should be avoided by meeting the performance standards before the actual certification. In the rare case for those problems that you were unable to correct prior to certifying (for example, if you were not able to notify all buyers of the status of the different models offered by you), then you need to fulfill the RTC plan and readily come back into compliance with that requirement.

- There are some questions that ask whether you have been doing a routine activity for the past year, such as quality assurance or recordkeeping. Be sure to comply with the requirements throughout the year and continue throughout the five year period. The *Certification Statement* includes a pledge that you have systems in place to keep your business in compliance with the environmental protection requirements. The compliance certification is valid for a five year period. A new certification should be filed before the expiration of that five year period. The certification date is 30 days after the postmark of the submitted compliance certification. Please keep a note of this date for future reference.

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 manufacturer in compliance with environmental protection requirements throughout the next five year cycle for certification, and
- Understands that there may be serious consequences for submitting false information to MassDEP.

The statement may only be legally signed by a legal representative of the manufacturer such as the 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.

Return to Compliance Plan

If your facility is unable to comply with a requirement at the time you certify, fill out this plan. The plan asks for the requirement you are violating, what you plan on doing to comply, and when you will be in compliance with the requirement. A separate plan is required each time your answer to a question on the *Certification* requiring a *Return to Compliance Plan* is "no". In the unlikely event you need more than one plan, make the necessary number of copies, and attach them to your *Compliance Certification*.

Please note that a question with a No response indicating "Not Qualified for Certification" means that the model indicated by the manufacturer for certification, will not be accepted by MassDEP. Not until the requirement is fulfilled and a Yes response can be submitted will MassDEP accept the submitted compliance certification for consideration. No model of OHH can be sold in the Commonwealth of Massachusetts until the manufacturer has submitted and MassDEP has accepted a compliance certification for that particular model. A responsible official of the manufacturer must certify that there is compliance with all the substantive requirements and complete all return to compliance plans needed for the OHH compliance certification, to fulfill the obligations of certifying a model.

