



United States Environmental Protection Agency Engine Declaration Form

Importation of Engines, Vehicles, and Equipment Subject to Federal Air Pollution Regulations

U.S. EPA, Certification & Compliance Division, 2000 Traverwood Dr., Ann Arbor, Michigan 48105. (734) 214-4100; imports@epa.gov; www.epa.gov/otaq/imports/

This form must be prepared by the importer for each imported nonroad or heavy-duty highway engine, including engines incorporated into vehicles or equipment. Note that references in this form to engines generally include vehicles or equipment if they are subject to equipment-based standards. One form per shipment may be used, with attachments including all information required to fully describe each engine as below. Provide a duplicate form and attachments to the U.S. Customs Service upon request (42 U.S.C. 7522, 7601, 19 CFR 12.73 or 12.74). This form must be retained for five years from the date of entry (19 CFR 163.4). NOTE: While certain imports require specific written authorization from EPA, Customs may request EPA review of importer documentation and eligibility for any import using this form. For light-duty motor vehicles, highway motorcycles, and the corresponding engines, use form 3520-1. This form does not apply to aircraft engines.

Identify the appropriate type of highway or nonroad engine, vehicle, or equipment you are importing from the following list of products:

- A. Heavy-duty highway engines (for use in motor vehicles with gross vehicle weight rating above 8500 pounds). See 40 CFR parts 85 and 86.
- B. Locomotives or locomotive engines. See 40 CFR part 92.
- C. Marine compression-ignition engines. See 40 CFR part 94. This includes propulsion engines and auxiliary engines installed on marine vessels.
- D. Other nonroad compression-ignition engines. See 40 CFR part 89 or 40 CFR parts 1039 and 1068. Note that 40 CFR part 89 also applies to some marine compression-ignition engines below 37 kW.
- E. Marine spark-ignition engines. See 40 CFR part 91.
- F. Recreational spark-ignition engines and vehicles, including snowmobiles, off-highway motorcycles, all-terrain vehicles, and offroad utility vehicles that are subject to the same emission standards as all-terrain vehicles. See 40 CFR parts 1051 and 1068. These standards apply to 50 percent of 2006 model-year vehicles and 100 percent of 2007 and later model-year vehicles.
- G. Other nonroad spark-ignition engines at or below 19 kW (or at or below 30 kW if total displacement is at or below 1000 cc). See 40 CFR part 90.
- H. Other nonroad spark-ignition engines above 19 kW (or above 30 kW if displacement is at or below 1000 cc). See 40 CFR parts 1048 and 1068.

Check one of the following Codes to indicate the provision under which you are importing the engine, vehicle, or equipment:

- 1. U.S. certified engine or engine installed in a certified vehicle, covered by a valid U.S. EPA certificate of conformity and bearing a U.S. EPA emission control label in English.

Permanent Exemptions for Nonconforming Engines

- 2. National security. Importing and labeling (where applicable) an engine subject to the provisions of 40 CFR 1068.315(a), 85.1511(c)(1), 89.611(c)(1), 90.612(c)(1), 91.1008, 92.908, or 94.908. For certain types of tactical equipment, this exemption may require prior EPA approval.
- 3. Manufacturer-owned engine. Importing and labeling an engine by an engine manufacturer holding a current U.S. EPA certificate of conformity, subject to the provisions of 40 CFR 1068.315(b), 85.1706, 89.906, 90.906, 91.1006, 92.906, or 94.906.
- 4. Replacement engine. Importing and labeling an engine subject to the provisions of 40 CFR 1068.315(c), 89.1003(b)(7), 90.1003(b)(5), 91.1103(b)(4), or 94.1103(b)(3). This exemption does not apply to highway or locomotive engines.
- 5. Extraordinary circumstances/hardship. Importing and labeling an engine subject to the provisions of 40 CFR 1068.315(d), 85.1511(c)(2), 89.611(c)(2), or 90.612(c)(2). An EPA letter of approval must be attached to this form.
- 6. Hardship for small-volume manufacturers. Importing and labeling an engine subject to the provisions of 40 CFR 1068.315(e). An EPA letter of approval must be attached to this form.
- 7. Equipment-manufacturer hardship. Importing and labeling an engine subject to the provisions of 40 CFR 1068.315(f), 89.102(f), or 94.209(b). This may also apply to secondary engine manufacturers. An EPA letter of approval must be attached to this form.
- 8. Identical configuration. Importing an engine subject to the provisions of 40 CFR 1068.315(i), 89.611(c)(3), 90.612(c)(3), or 91.704(c)(2). Such an engine must be identical in all material respects to a U.S.-certified version as demonstrated by letter from the engine-manufacturer contact on the Customs list, subject to EPA review at Customs' discretion. This exemption does not apply to highway, locomotive, or marine compression-ignition engines. The applicable regulations may require that you own the engine for a certain period before and after importation.
- 9. Ancient engine. Importing an engine first manufactured at least 21 years earlier that is still in its original configuration, subject to the provisions of 40 CFR 1068.315(j), 89.611(f)(2), or 90.612(f)(2). This exemption does not apply to highway, locomotive, or marine engines.

Temporary Exemptions for Nonconforming Engines

The following temporary exemptions apply for importing nonconforming engines. EPA requests bonding with the U.S. Customs Service for the full value of the imported products to make sure you comply with applicable requirements.

- 10. Repairs or alterations. Importing an engine for repair or alteration subject to the provisions of 40 CFR 1068.325(a), 85.1511(b)(1), 89.611(b)(1), 90.612(b)(1), 91.704(b)(1), 92.804(b)(1), or 94.804(b)(1).
- 11. Testing. Importing an engine for testing subject to the provisions of 40 CFR 1068.325(b), 85.1511(b)(2), 89.611(b)(2), 90.612(b)(2), 91.704(b)(2), 92.804(b)(2), or 94.804(b)(2).
- 12. Display. Importing an engine for display subject to the provisions of 40 CFR 1068.325(c), 85.1511(b)(4), 89.611(b)(4), 90.612(b)(3), 91.704(b)(3), 92.804(b)(3), or 94.804(b)(3).
- 13. Export. Importing an engine for eventual export, subject to the provisions of 40 CFR 1068.325(d), 85.1709, 89.909, 90.909, 91.1009, 92.909, or 94.909. NOTE: Both the engine and shipping container must be labeled or tagged to identify them as solely for export.
- 14. Diplomatic or military. Importing an engine subject to the provisions of 40 CFR 1068.325(e), 85.1511(d), 89.611(d), 90.612(d), or 91.704(d). This exemption is limited to members of the armed forces or personnel of a foreign government on assignment to the U.S. for whom free entry has been authorized in writing by the U.S. Department of State, or for members of the armed forces of a foreign country with official orders for duty in the U.S. This exemption does not apply to locomotive or marine compression-ignition engines.
- 15. Delegated assembly. Importing an engine for delegated assembly subject to the provisions of 40 CFR 1068.325(f).
- 16. Partially complete engine. Importing an engine not yet in its final configuration that is covered by a valid exemption or a certificate of conformity (or an engine that will be installed in a vehicle that is covered by a valid exemption or a certificate of conformity), or importing an engine that will be installed in an application not yet subject to EPA emission standards (see Codes 17 and 18), subject to the provisions of 40 CFR 1068.330.

Importation of Engines Not Yet Subject to U.S. EPA Emission Standards

- 17. Engine manufactured before emission standards started to apply. These engines must generally have already been placed into service. A recreational marine compression-ignition engine below 2.5 liters per cylinder imported under this provision must be manufactured before the 2006 model year. A recreational vehicle imported under this provision must be manufactured before the 2007 model year.
- 18. Sterndrive/inboard marine engines. For spark-ignition engines only. See 40 CFR part 91.

Importation of Engines Excluded from U.S. EPA Emission Standards

- 19. Competition engine.** The engine must be used solely for competition, subject to the provisions of 40 CFR 1068.310(a), 85.1511(e), 89.611(e), 90.612(e), 91.704(e), or 94.804(c)(2). An EPA letter of approval must be attached to this form.
- 20. Stationary engine.** The engine must be used for a stationary purpose and remain at a single site at a building, structure, facility or installation for more than 12 consecutive months throughout its lifetime, or remain at a seasonal source during its full annual operating period (see the definition of "nonroad engine" in 40 CFR 1068.30, 89.2, or 90.3). Starting January 1, 2004 for spark-ignition engines above 19 kW and January 1, 2006 for all compression-ignition engines, the engine must be labeled (see 40 CFR 1039.20 or 1048.20). **Penalties:** Any person who circumvents or attempts to circumvent residence-time requirements for stationary engines may be fined up to \$32,500 per day of violation (40 CFR 1068.101(b)(3), 89.1006(a)(5), 90.1006(a)(5)). NOTE: Stationary engines may be subject to state or local regulations.
- 21. Underground mining.** Engine must be used in underground mining and regulated by the Mining Safety and Health Administration (MSHA). See 40 CFR 89.1 and 1039.5; see also 30 CFR 7, 31, 32, 36, 56, 57, 70, 75. For compression-ignition engines only.
- 22. Spark-ignition hobby engine.** For a spark-ignition engine powering a reduced-scale model of a vehicle not capable of transporting a person. See 40 CFR 90.1(d)(6).
- 23. Compression-ignition hobby engine.** For a compression-ignition engine with displacement below 50 cc per cylinder. See 40 CFR 89.1(b)(5).

Exemptions for Specific Engine Categories or Other Special Cases

- 24. Transition Program for Equipment Manufacturers.** Importing a piece of equipment, subject to the provisions of 40 CFR 89.102 or 40 CFR 1039.625 and 1039.626 (Category D only). Maximum engine power: _____ kW HP (or identify the regulatory power category).
- 25. Personal-use exemption for small spark-ignition engines.** Importing three or fewer nonroad spark-ignition engines at or below 19 kW for purposes other than resale, where the importer has never previously used this exemption, subject to the provisions of 40 CFR 90.611.

26. Engine imported by an Independent Commercial Importer recognized by EPA. Only for Categories A and D above.

- 26a. For modification under a valid EPA certificate issued for the specific make, model, and model year according to 40 CFR 85.1505, 89.605 or 1039.660.
- 26b. For modification and testing according to 40 CFR 85.1509, 89.609, or 1039.660. NOTE: The imported engine must be at least 6 years old.
- 26c. For precertification testing to obtain an EPA certificate under 40 CFR 85.1511(b)(3), 89.611(b)(3), or 1039.660. NOTE: Customs bond is required. Specify location of storage (required): _____

NOTE: Under 26a and 26b, you may import up to five highway engines and five nonroad engines in a given model year that are certified to standards based on an engine's original production year. You may import any number of engines certified to standards that apply based on the year the engine is modified. See 40 CFR 85.1503 and 89.603.

- 27. Other exemption.** Describe the exemption, attach EPA approval (if applicable), and identify the regulatory cite: _____

Declaration of Nonroad or Heavy-duty Highway Engine, or Nonroad Vehicle or Equipment

| | | | |
|---|-------------------|-------------|--|
| Port code: | Customs entry no: | Entry date: | Engine manufacturer; model and serial number of each engine; for certified engines or vehicles, identify the engine family name: |
| For uncertified engines (or vehicles), identify the engine (or vehicle) build date: _____month _____year <input type="checkbox"/> on engine <input type="checkbox"/> other (explain) | | | Vehicle or equipment manufacturer; model, serial number, and type of equipment (if applicable): |

Names, Addresses, and Telephone Numbers of Relevant Parties

Certification: I certify that I have read and understand the purpose of this form, the penalties for falsely declaring information, for providing misleading information, or for concealing a material fact. The information I have provided is correct, and all required attachments are appended to this form. I authorize EPA Enforcement Officers to conduct inspections or testing permitted by the Clean Air Act. I am the owner, the importer, or an agent of the owner or importer.

| | | |
|------------|---------------|-------|
| Signature: | Printed name: | Date: |
|------------|---------------|-------|

Identify the name, address, phone number, and e-mail address for the importer, broker, and owner as applicable:

| | | |
|----------------------|--------------------|-------------------|
| Importer (required): | Broker (optional): | Owner (optional): |
|----------------------|--------------------|-------------------|

Penalties: (1) Anyone who knowingly makes any false or fraudulent statement, or omits or conceals a material fact can be fined up to \$270,000 or imprisoned for up to 5 years, or both (18 U.S.C. 1001). Anyone who illegally imports an engine may be fined up to \$32,500 per engine (42 U.S.C. 7524), and may be subject to forfeiture of the entire importation bond, if applicable (40 CFR 1068.335, 89.612, 90.613, 91.705, 92.805, 94.805), and the engine is subject to seizure by Customs (19 CFR 162.21). (2) Anyone who distributes in commerce, sells, offers for sale, or introduces into commerce an engine subject to EPA certification requirements but not covered by a certificate of conformity, may be fined up to \$32,500 per violation (40 CFR 1068.101(a), 89.1006, 90.1006, 91.1106, 92.1106, 94.1106).

Information collection: This information is collected to ensure that engines imported into the U.S. conform with applicable emission requirements. Responses to this collection are mandatory (Clean Air Act sections 202, 203, and 208). Information submitted to the Agency under a claim of confidentiality will be safeguarded as described in 40 CFR part 2. The public reporting and recordkeeping burden for this collection of information is estimated to average 30 minutes per response. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. 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 (2822), 1200 Pennsylvania Ave., NW, Washington, DC 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.