



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
NATIONAL VEHICLE AND FUEL EMISSIONS LABORATORY  
2565 PLYMOUTH ROAD  
ANN ARBOR, MICHIGAN 48105-2498

OFFICE OF  
AIR AND RADIATION

July 2, 2004

CCD-04-14 (LDT/HDV/HDE/MC/ICI/ATV/OFMC/NR)

Dear Manufacturer,

**SUBJECT: Implementation of the Motor Vehicle and Engine Compliance Program Fees**

The new Motor Vehicle and Engine Compliance Program (MVECP) Fees final rule was published in the Federal Register on May 11, 2004. This rule will take effect on July 12, 2004.

The new MVECP fees apply to all manufacturers and Independent Commercial Importers (ICIs) of light-duty vehicles (LDVs), light-duty trucks (LDTs), heavy-duty vehicles (HDVs), heavy-duty engines (HDEs), motorcycles (MCs), nonroad engines and recreational vehicles. The fees do not apply to engines that are not currently regulated by EPA, such as marine inboard and sterndrive spark-ignition engines. Payment of fees is required before EPA will review a manufacturer's application for certification. The new MVECP fees are required for all certification requests submitted on or after July 12, 2004. The new fees rule will not apply to applications for certification received prior to July 12, 2004. EPA has existing fees regulations, issued prior to May 11, 2004, that remain applicable to complete certification applications submitted prior to July 12, 2004.

Attached is a document that describes the MVECP fee filing procedures. This document includes instructions for 1) the preparation and submission of the MVECP fee filing form and fee payment, 2) requesting reduced fees and refunds, and 3) submitting engine family/test group placeholders and corrections.

Manufacturers are required to comply with the fee requirements listed under 40 CFR, Part 85, Subpart Y. Information related to fees must be maintained in the applicant's files to be provided to EPA upon the receipt of a specific request.

Any questions regarding the instructions should be directed to your EPA certification team representative.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Merrylyn Zaw-Mon".

Merrylyn Zaw-Mon, Director  
Certification and Compliance Division  
Office of Transportation and Air Quality

## MVECP FEE FILING PROCEDURE

**This procedure is intended to assist manufacturers in the procedure for paying fees. It does not replace the EPA regulations regarding MVECP fees. It is the manufacturer's responsibility to comply with those regulations.**

### 1. Fee Filing

The payment procedure begins when the manufacturer initiates a certification request by submitting an application for certification. For each certification request the manufacturer must submit an MVECP fee filing form and the appropriate fee. Two fee filing forms are attached. One form is for on-highway vehicles and engines and one is for nonroad vehicles and engines. These and other forms are available on EPA's fee website: <http://www.epa.gov/otaq/fees.htm>.

Fee payments must be made in full before EPA will review the application. Partial payments or installment payments will not be accepted.

### 2. Fee Filing Form Address

All fee filing forms must be sent to the following address, as indicated on the fee filing form:

Environmental Protection Agency  
Motor Vehicle and Engine Compliance Program  
P.O. Box 954472  
St. Louis, MO 63195-4472

Sending the fee filing form to any other address could result in processing delays. See section 3 for fee payment instructions.

#### 2.1. Fee Filing Form Documentation [40 CFR 85.2408]

A copy of the fee filing form must be included in the application for certification and also included with any request for a reduced fee or fee refund as described in sections 6 and 7.

### 3. Fee Payment [40 CFR 85.2408]

Fees must be paid in advance by money order, bank draft, certified check, corporate check, or electronic funds transfer (EFT/Wire or EFT/ACH) payable in U.S. dollars to the order of the Environmental Protection Agency. The manufacturer is responsible for any extra charges a banking institution may assess for processing the fee.

#### 3.1. Payment by Money Order, Bank Draft, Certified Check, or Corporate Check [40 CFR 85.2408]

All payments must be in U.S. dollars. If using a foreign check it must be drawn on a U.S. bank in U.S. dollars or the US Bank may reject the check. Send the fee filing form and check to the address on the fee filing form, which is the same as that given in section 2. Sending checks to any other address could result in processing delays. EPA will not be responsible for checks sent to any other location.

There is a customer service line at US Bank at (314) 418-6635 if you have questions regarding a foreign check or other related matters.

### 3.2. Payment by Wire Electronic Funds Transfer - EFT/Wire

#### 3.2.1. EFT/Wire transmittals

All U.S. and foreign EFT/wires are to be transmitted to:

New York Federal Reserve Bank

Individual banks can establish wiring services for the manufacturer. Instructions for submitting EFT/Wire transactions may be obtained at the manufacturer's bank. If there is a problem with a wire transaction, the U.S. Treasury contact number for MVECP fee wire payments is 202-874-7566. Please contact Treasury or the certification representative regarding wire transaction problems.

#### 3.2.2. EPA Location Code (ALC) and ABA# for EFT/Wire

To assure proper delivery of the payment, the manufacturer must include the EPA location code (8 digits) and ABA# (9 digits) on all EFT/Wire transactions.

The EPA location code is 68010099.

The ABA# is 021030004.

#### 3.2.3. Required Information for the ETF/Wire Message Field

The manufacturer must submit the following information in the ETF/wire message field (maximum 80 columns):

Description: "EPA MVECP FEE"

Standard Engine Family or Test Group Name (s)

Corporate Name

#### 3.2.4. Fee Filing Form Instructions for EFT/Wires

Indicate on the fee filing form that this is an electronic funds transfer and follow the fee filing form instructions.

### 3.2.5. Fee Filing Form Address for EFT/Wires

Manufacturers who submit an ETF/Wire payment through a U.S. or foreign bank must send the fee filing form to the address listed on the fee filing form, which is the same as indicated in section 2.

### 3.3. Payment by Automated Clearing House Electronic Funds Transfer - EFT/ACH

In addition to the wire payment method, a manufacturer may use the Automated Clearing House (ACH) method of electronic funds transfer. To set up an EFT/ACH payment method the manufacturer should contact its banking institution. The bank will need the instructions listed below, sections 3.3.1 -3.3.4. The customer service line at US Bank is (314) 418-6635.

#### 3.3.1. Payment by EFT/ACH

EFT/ACH payments are to be transmitted to:

US Bank

at the address on the fee filing form, which is the same as that in section 2.

Individual banks can establish EFT/ACH services for the manufacturer. A manufacturer can obtain instructions on EFT/ACH transactions from its bank. At this time US Bank can only receive ETF/ACH payments from banks in the United States (domestic banks).

#### 3.3.2. EPA EFT/ACH Account Information

The manufacturer must provide this information to its bank for the transfer of the payment into EPA's account:

RDFI- US Bank  
Routing Transit # 081000210  
Receiving Account # 1001091030  
Account Name: U.S. Environmental Protection Agency (EPA)

#### 3.3.3. Required Information for the EFT/ACH Message Field

The manufacturer must submit the same information listed in the ETF/ACH message, section 3.2.3.

#### 3.3.4. Fee Filing Form Instructions for EFT/ACH

Indicate on the fee filing form that this is an EFT/ACH payment and follow the fee filing form instructions.

3.3.5. Fee Filing Form Address for EFT/ACH

Manufacturers who submit an EFT/ACH payment must also send the fee filing form to the address listed on the fee filing form, which is the same as indicated in section 2.

4. Implementation Procedures

Manufacturers will be required to submit a fee filing form and fee payment for each certification request submitted after the effective date of this rule. The implementation procedures are as follows:

- 4.1 The new fee will not be required for certificates issued prior to the effective date of the final rule.
- 4.2 The new fee will not be required for a complete application for certification, which is received by EPA prior to the effective date of the final rule. Complete applications received before the implementation date pay the old fees, or no fee in the case of nonroad vehicles and engines, and are subject to the old regulations. To qualify under this provision, the application for certification must include information about the family/test group, test data, deteriorated emission levels, emission standards, emissions control components including a description of auxiliary emission control devices, a signed statement of compliance, and all manufacturer and confirmatory testing<sup>1</sup> must be completed. However, a California-only application for certification need not have an executive order in place in order to be considered complete for this fees provision.
- 4.3 The new fee will be required for all certification requests that are not complete by the effective date of the final rule.
- 4.4 The new fee will be required for all certification requests submitted after the effective date of the final rule.

5. Fee Schedule [40 CFR 85.2405]

Fees will be based on the calendar year the complete application is received. The new fees for CY 2004 and 2005 are as follows:

<u>Fee Category</u>	<u>New Fee</u>
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<sup>1</sup> Confirmatory testing does not need to be completed if the manufacturer is requesting a conditional certificate.

Light-duty Fed	\$ 33,883
Light-duty CA-only	\$ 16,944
Light-duty ICI	\$ 8,387
Heavy-duty highway CI&SI	\$ 21,578
Motorcycles	\$ 2,414
Nonroad CI	\$ 1,822
Large SI	\$ 826
Locomotives	\$ 826
Others*	\$ 826

\* Includes recreational, California-only HD HW engines, HD HW evap, Small NR, and marine engines except marine SI inboard and sterndrive engines.

Starting in CY 2006 the fees will be adjusted. The adjustments will be based upon inflation and changes to the number of certificate applications. The adjusted fees will be posted on the EPA website mentioned in section 1 and manufacturers will be notified of the adjusted fees for each calendar year in the January before the calendar year that the adjusted fees are due.

6. Reduced Fee Policy [40 CFR 85.2406]

The purpose of a reduced fee is to alleviate severe economic hardship that the full payment could impose on manufacturers of small volume families. Under the reduced fee provisions the fee will be limited to 1% of the aggregate retail sales price of vehicles or engines covered by a certificate.

To obtain a reduced fee, an applicant will need to show that:

1. The certificate is to be used for sale or importation of vehicles or engines within the United States; and
2. The full fee for a certification request for a MY exceeds 1% of the aggregate projected retail sales price of all vehicles covered by that certificate. The retail sales price should be based upon the manufacturer's suggested retail sales price.

The reduced fee request is to be submitted in writing along with the fee filing form to the address shown in section 9 below. The applicant must calculate the fee amount using the aggregate retail sales price.

The manufacturer must submit the reduced fee calculation with the fee filing form and the greater of 1% of the aggregate projected retail sales price of all vehicles covered by that certificate or \$750.00.

6.1. Reduced Fee Path #1

If the certificate will cover less than 6 vehicles and engines and the price of each vehicle or engine is less than \$75,000, a certificate will be issued that will cover up to 5 vehicles or engines. At the end of the model year the manufacturer must submit a report with the final fee calculation and fee payment if additional fees are due.

#### 6.2. Reduced Fee Path #2

If the price of any of the vehicles or engines is greater than \$75,000 or the certificate will cover more than 5 vehicles or engines, the certificate will cover only the number of vehicles or engines estimated by the manufacturer at the time the fees are paid.

#### 6.3. Revise Reduced Fee Certificate [40 CFR 85.2406]

If, after the certificate is issued, the manufacturer would like the certificate to cover more vehicles or engines than the number indicated on the certificate, the manufacturer must 1) request a revised certificate that indicates the new number of vehicles or engines to be covered and 2) submit a fee to cover the additional vehicles or engines. Please note that manufacturers of light-duty highway vehicles will not be able to generate certificates through the automatic certificate generator system if paying a reduced fee. Certificates will be generated by the certification representative if the manufacturer is certifying a(n) engine family/test group under the reduced-fee program. The number of vehicles covered by the reduced-fee will be indicated on the certificate.<sup>2</sup>

#### 6.4. Additional Reduced Fee Guidance for ICIs [40 CFR 85.2406]

The aggregate retail sales price will be based on all vehicles under a certificate, including any vehicles or engines modified under the modification and test option in 40 CFR 85.1509. The retail sales price for imported non-conforming vehicles shall be based on the applicable National Automobile Dealer's Association (NADA) price guide and/or other evidence of the actual market value if the vehicle or engine is not included in the NADA price guide. Other forms of evidence may include the declared value of the vehicles for customs (i.e., U.S. Customs Consumption Entry Form (7501) Value Declaration).

#### 6.5. ICI Reduced Fee Information Format

An ICI reduced fee request must include the original equipment manufacturer vehicle or engine identification information. This information shall include information identifying the original manufacturer, original production year, model, identification number (VIN or Serial No.), and market price. Such information will allow EPA to determine that the reduced fee has been paid

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<sup>2</sup> The number of engines or vehicles covered by a reduced fee certificate is printed on the certificate and is not confidential. Therefore, if the manufacturer wants the number of vehicles or engines to remain confidential, it should not request a reduced fee certificate.

prior to the ICI request for final admission of the vehicle or engine.

The suggested format for additional information to be submitted with an ICI reduced fee request is shown below:

For ICI Use Only

<u>Original Manufacturer</u>	<u>Original Production Year</u>	<u>Model</u>	<u>VIN/Serial Number</u>	<u>Market Value</u>
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6.6. Alternative Fuel Converters

The aggregate retail sales price shall be based on the value added to the vehicle engine by the conversion.

6.7. Where to send Reduced Fee Calculations and Payments

Please attach the reduced fee calculation (on company letterhead) to the fee filing form for each applicable engine family or test group and send both the fee filing form and the reduced fee calculation to the address on the fee filing form, which is the same as that in section 2.

7. Fee Refunds

Manufacturers may request a refund when:

1. A manufacturer fails to obtain a signed certificate because it is either voluntarily withdrawn by the manufacturer or does not receive approval.
2. The original fee payment for a reduced fee exceeds the final reduced fee. The refund request should show the calculation of the final reduced fee and the refund amount requested.

A refund request (along with a copy of the original fee filing form) must be submitted to the address in section 9 with an indication of the amount of the refund.

7.1 Direct Deposit of Fee Refund

Fee refunds can be directly deposited into the manufacturer's account upon request. Please notify EPA (in the letter requesting a refund) if you would like the fee refund to go directly into the manufacturer's account in lieu of receiving a refund check. We can contact you to obtain the required account information.

8. Placeholder Engine Families and Corrections



8.1. Declaring a Placeholder Family

If you do not know the engine family name at the time that you are paying fees you may insert a placeholder family name on the fee filing form. The placeholder will have the following format:

**5ZZZFEEES0001** (12 characters)

Where: <u>character(s)</u>	<u>indicate(s)</u>
1	the model year of the engine family/test group
2-4	manufacturer identifier
5-8	the word "fees"
9-12	the consecutive number of the manufacturer's placeholder family

8.2. Replacing a Placeholder Family

Once the engine family/test group name has been identified, submit an "MVECP Fees Placeholder Assignment Form", available on EPA's website listed in section 1, to replace the placeholder name with the name that is indicated on the application for certification.

8.3. Typographical Corrections

Typographical corrections should be made using the "MVECP Fees Typographical Correction Form", available on EPA's website listed in section 1. If the correction is not a change in the engine family name, please clearly indicate the correction to be made in the "Notes" section.

9. Refunds, Corrections, and Placeholder Assignment Address

All requests for refunds, corrections, and placeholder assignments shall be submitted by the applicant to:

Environmental Protection Agency  
 Motor Vehicle and Engine Compliance Program  
 Certification and Compliance Division  
 2565 Plymouth Road  
 Ann Arbor, MI 48105

Do not send refund requests or corrections to the address listed on the fee filing form.

10. Please Notify EPA of Current E-mail Address

EPA is requesting a current e-mail address from all manufacturers. If possible a group e-mail address is preferred. In the future, EPA plans to notify manufacturers by e-mail of the receipt of fee payments and other related fees transactions. Please enter your e-mail address on the fee filing form where indicated.