



Massachusetts Department of Environmental Protection
Environmental Results Program

Compliance Certification Instructions
Emergency Engines and Emergency Turbines

1. What is the ERP Installation Compliance Certification?

Operators of new emergency engines with a rated power output equal to or greater than 37 kW or new emergency turbines with a rated power output less than one megawatt constructed, substantially reconstructed, or altered 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 Emergency engines and turbines. You must submit the initial compliance certification within 60 days of 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 two 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. **ERP Emergency Engine and Emergency Turbine Compliance Workbook:** The workbook contains the regulatory information you need to complete the Initial Certification form and certify compliance with the applicable requirements.

2. Do I have to certify?

The program applies to all new emergency or standby engines with a rated power output equal to or greater than greater than 37 kW or emergency turbine with a rated power output less than one megawatt constructed, substantially reconstructed, or altered after March 23, 2006. New means newly installed. Any unit (new or used) installed after March 26, 2006 must comply with emergency engine or emergency turbine ERP. (See Workbook Section 1.3.)

3. How do I submit a Compliance Certification?

If ERP applies to your facility, you are required to complete an *Installation ERP Compliance Certification* form for each new emergency engine or emergency turbine within 60 days of starting operation and mail it to MassDEP. Certifications should be mailed to the following address:



**Massachusetts Department of Environmental Protection
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MassDEP - ERP – Emergency E & T
P.O. Box 120-165
Boston, MA 02112-0165

4. How do I fill out the Installation 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 enclosed form. Refer to *Section 7* below, *Step by Step Instructions for Filling Out the ERP Compliance Certification*.
3. When you have answered all of the questions, sign the *Certification Statement*.
4. Make a copy of the complete package for your records.
5. 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. What is not currently covered by the Compliance Certification?

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. If you think any of these programs might apply to your business, you can get more information on applicability and compliance requirements from MassDEP's **InfoLine** at (800) 462-0444 or (617) 338-2255.

6. What is my ERP certification fee?

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

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.



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7. Step by step instructions for filling out the Installation 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

Note: The applicability threshold requirements are based upon the engine or turbine rated power output, not the electrical output of the generator.

These questions provide MassDEP with some background information about your emergency 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 *Installation 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.

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.



Massachusetts Department of Environmental Protection
Environmental Results Program

Compliance Certification Instructions
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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.



Massachusetts Department of Environmental Protection
Environmental Results Program
Installation Compliance Certification
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 Facility Name

 MassDEP Facility ID# (if known)

A. Facility Information

Important: When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



1. Facility Location:

 Facility Name

 Street Address

 City

 State

 Zip Code

 Federal Employer ID # (FEIN)

2. Mailing Address and Contact Information:

 Street/PO Box:

 Email Address

 City

 State

 Zip Code

 Telephone Number

 Fax Number

 Contact Person Name

 Contact Person Title

B. Compliance Information

Complete and submit an Initial Compliance Certification form for *each* new emergency engine or emergency turbine that is subject to the Environmental Results Program (ERP) for Emergency Engines or Emergency Turbines (EOT). Answer all questions. **IMPORTANT NOTE:** Answering NO to certain questions requires completion of the Return to Compliance form. In these cases, the notation "RTC" appears next to NO.

	Engine or Turbine	Genset
Manufacturer of Unit	_____	_____
Model #	_____	_____
Serial #	_____	_____
Rated Power Output (Engine or Turbine)	_____	N/A
Electrical Output (Kilowatts)	N/A	_____
Facility-Designated ID#	_____	_____
Date Installed (MM/DD/YYYY)	_____	_____
EPA Certificate # for Unit (Oil-Fired Engines Only)	_____	_____
Date Operation Commenced (MM/DD/YYYY)	_____	_____



Massachusetts Department of Environmental Protection
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B. Compliance Information (continued)

1. Is the new unit an emergency engine? Yes – Go to Question 3 No
2. Is your new unit an emergency turbine? Yes No
3. Is the primary fuel to be burned natural gas? Yes No
4. Is the primary fuel to be burned fuel oil? Yes No
5. What is the sulfur content of the fuel oil?
Workbook Section 2.2 _____ Parts Per Million (PPM)
- 6a. For emergency engines burning fuel oil, have you attached to this certification a statement from the supplier that your engine has been issued a certificate of conformity by the Administrator of the Environmental Protection Agency pursuant to 40 CFR 89.105 as in effect October 23, 1998 for the applicable emission limitations at the time of installation and is capable of compliance with the emission limitations for the first three years of operation?
Workbook Section 2.1. Yes No – RTC
- 6b. For emergency engines burning natural gas, have you attached a letter or other documentation from your supplier that the engine meets the applicable non-road emission limitations that will satisfy the certificate of conformity requirement (See question 5 above) at the time of installation and is capable of compliance with the emission limitations for the first three years of operation?
Workbook Section 2.1. Yes No – RTC
7. Are you only accepting delivery of fuel that meets the sulfur content requirements pursuant to 40 CFR 80.29, 40 CFR 80.500, and 40 CFR 520(a) and (b) as in effect January 18, 2001 (i.e. less than 15 ppm sulfur)?
Workbook Section 2.2. Yes No – RTC
8. Is your unit equipped with a non-turn back hour counter?
Workbook Section 2.3. Yes No – RTC
- 9a. Is your exhaust stack configured to discharge the combustion gases vertically and is not equipped with any part or device that restricts the vertical exhaust flow of the emitted combustion gases, including but not limited to rain protection devices “shanty caps” and “egg beaters”?
Workbook Section 2.4. Yes No – RTC



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B. Compliance Information (continued)

- 9b. Have you located your unit such as to minimize emission impacts upon sensitive receptors including, but not limited to, people, windows and doors that open, and building fresh air intakes by employing good air pollution control engineering practices? Such practices include avoiding locations that may be subject to down wash of the exhaust and providing sufficient stack height to minimize flue gas impacts upon sensitive receptors. Yes No – RTC

Workbook Section 2.4

For questions 9c and 9d, answer only the question that applies to your unit's power output rating. If your unit is rated at less than 300 kilowatts, skip to Question 12.

- 9c. If your unit has a power output rating of 300 kilowatts or greater but less than one megawatt, is your stack height a minimum of ten feet above the facility rooftop or unit enclosure whichever is lower? Yes – Go to Question 12 No – RTC

Workbook Section 2.4

- 9d. If your unit has a power output rating of one megawatt or greater, is the height of your stack at least greater than 1.5 times greater than the height of your building or higher than the height of a structure that is within 5L of the stack (5L being five times the lesser of the height or maximum projected width of the structure)? Yes – Go to Question 12 No – Go to Question 10

Workbook Section 2.4

10. If you answered No to Question 9d, have you performed an analysis using an EPA dispersion model to determine that your emissions will not cause a violation of the National Ambient Air Quality Standards? Yes No – RTC

Workbook Section 2.4.

See Appendix 1 for data needs.

11. Did the analysis demonstrate that the stack emissions do not cause a violation of the National Ambient Air Quality Standards? (Attach a copy of the analysis to this certification form) Yes No – RTC

12. Is your unit designed and have you located your unit such that when operated, sound impacts upon sensitive receptors will be minimized and will not cause a condition of air pollution? Yes No – RTC

Workbook Section 2.5.



Massachusetts Department of Environmental Protection
Environmental Results Program
Installation Compliance Certification
For New Emergency Engines & Emergency Turbines

 Facility Name

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B. Compliance Information (continued)

13. Has your organization put in place policies, procedures and provided instruction to personnel to assure that the unit will operate not more than 300 hours per 12 month rolling period and only during times of emergency as defined in 310 CMR 7.26(41) and for normal maintenance and testing as recommended by the manufacturer? Yes No – RTC

Workbook Section 2.3

14. Has your organization put in place procedures to maintain records as listed in Section 2.6 of the workbook? Yes No – RTC

C. Certification Statement

Note: Complete all required forms before signing this statement

"I attest under the pains and penalties of perjury:

- I. That I have personally examined and am familiar with the information contained in this submittal, including any and all documents accompanying this certification statement;
- II. That, based on my inquiry of those individuals responsible for obtaining the information, the information contained in this submittal is, to the best of my knowledge, true, accurate, and complete;
- III. That systems to maintain compliance are in place at the facility and will be maintained even if processes or operating procedures are changed; and
- IV. That I am fully authorized to make this attestation on behalf of this facility.

 Signature

 Print First Name

 Print Last Name

 Title

 Date of Certification (MM/DD/YYYY)

Source of Signatory Authority:

If a Corporation:

- President Secretary
- Treasurer Vice President*
- Representative of the above**

* If authorized by corporate
 **If authorized by corporate vote and responsible for overall operation of the facility

If a Partnership: General Partner

If a Sole Proprietorship: Proprietor

If a Municipality or Public Agency:

- Principal Executive Officer
- Ranking Elected Official (empowered to enter into contracts on behalf of the municipality or public agency)

I am aware that there are significant penalties, including, but not limited to, possible fines and imprisonment, for willfully submitting false, inaccurate, or incomplete information.