

GUIDANCE DOCUMENT

SUBMISSION REQUIREMENTS FOR EVIDENCE OF CONFORMITY FOR LIGHT-DUTY VEHICLES, LIGHT-DUTY TRUCKS AND MEDIUM-DUTY PASSENGER VEHICLES

IN RELATION TO THE
ON-ROAD VEHICLE AND ENGINE EMISSION REGULATIONS
MADE UNDER THE
CANADIAN ENVIRONMENTAL PROTECTION ACT, 1999

Disclaimer

This document is intended to provide guidance only. It does not in any way supersede or modify the *Canadian Environmental Protection Act, 1999* or the On-Road Vehicle and Engine Emission Regulations. In the event of an inconsistency between this document and the Act and/or the Regulations, the Act and the Regulations prevail.

Environment Canada
October 23, 2009

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1.0 Purpose

This document aims to provide guidance on the implementation of the On-Road Vehicle and Engine Emission Regulations¹ (the Regulations) made under the *Canadian Environmental Protection Act, 1999* (CEPA 1999). Specifically, it presents what evidence of conformity to the Regulations is required and what procedures should be followed when producing evidence of conformity for light-duty vehicles, light-duty trucks and medium-duty passenger vehicles (paragraphs 6(1)(a), (b) and (c) of the Regulations) manufactured for sale² in Canada or imported into Canada.

2.0 Definitions and acronyms

Provided below are the definitions of terms used throughout this document. An underlined term indicates that the definition was created solely for the purpose of this document. The other, not underlined, terms are all used or defined either in the Regulations or in CEPA 1999.

“Canada-unique vehicle” means a vehicle, that is either not covered by a valid United States EPA certificate (i.e. not “specifically listed” on or “deemed covered” by an EPA certificate) or not sold concurrently (i.e. the same make and model or an “equivalent vehicle”) in Canada and in the United States.

“CFR” means Title 40 (Protection of Environment), chapter I, subchapter C, part 86 (Control of Emissions from New and In-Use Highway Vehicles and Engines), of the Code of Federal Regulations of the United States, as amended from time to time.

“Common section” means a collection of information that is common to more than one test group and that may, at the option of the company showing compliance with the Regulations, be grouped to demonstrate evidence of conformity. A “common section” may be submitted in addition to the documentation specific to each test group’s documentation (Part 1). When submitted, it should accompany the first application of a test group and subsequent applications to which previously submitted “common sections” apply should make clear references to their respective “common sections”. If applicable, a “common section” may include, among other information, the items listed in Appendix A.

“Company” means a person who:

- (a) is engaged in the business of manufacturing vehicles, engines or equipment in Canada;

¹ SOR/2003-2, as amended by SOR/2006-268.

² Regulations apply to all vehicles manufactured or imported into Canada after January 1, 2004 (section 3). Vehicles that are being exported and are accompanied by written evidence that they will not be used or sold in Canada are excluded as per paragraph 6 (3)(b).

- (b) is engaged in the business of selling to other persons, for the purpose of resale by those persons, vehicles, engines or equipment obtained directly from a person described in paragraph (a) or the agent of such a person; or
- (c) imports any vehicle, engine or equipment into Canada for the purpose of sale.

“Deemed covered” means that a vehicle meets the criteria of section 4 of the Regulations:

- 4. In these Regulations, a vehicle is deemed to be covered by an EPA certificate if it
 - (a) is equivalent to a vehicle that is covered by an EPA certificate in that both vehicles, share all of the features described in the CFR (section 86.1821 and 86.1827) that are used by the EPA to classify vehicles into test groups and evaporative and refuelling families;
 - and
 - (b) has no features that could cause it to have a higher level of emissions than the vehicles tested for the issuance of the EPA certificate.

“EPA” means the United States Environmental Protection Agency.

“EPA certificate” means a certificate of conformity to United States federal standards issued by the EPA.

“Equivalent vehicles” is used to determine if vehicles can be considered as “vehicle sold concurrently”. “Equivalent vehicles” share all the features described in the section 86.1821 and 86.1827 of the CFR that are used by the EPA to classify vehicles into test groups, and into evaporative and refuelling families

“Model year”:

- (1) A year that is used by a manufacturer as a model year shall:
 - (a) if the period of production of a model of vehicle does not include January 1 of a calendar year, correspond to the calendar year during which the period of production falls; or
 - (b) if the period of production of a model of vehicle includes January 1 of a calendar year, correspond to that calendar year.
- (2) The period of production of a model of vehicle shall include only one January 1.

“Regulations” means the On-Road Vehicle and Engine Emission Regulations SOR/2003-2, December 12, 2002, as amended by SOR/2006-268, November 2, 2006, and as amended from time to time.

“Test group” means the basic classification unit within a durability group used for the purpose of demonstrating compliance with exhaust emission standards. Test group is defined in section 86.1803 of the CFR and the determination methods are found in section 86.1827.

“Vehicle” means light-duty vehicles; light-duty trucks, namely, light light-duty trucks and heavy light-duty trucks; and medium-duty passenger vehicles, as listed in paragraphs 6.(1)(a), (b) and (c) of the Regulations. Regulations apply to all vehicles manufactured in or imported into Canada after January 1, 2004 (section 3). Vehicles that are being exported and are accompanied by written evidence that they will not be used or sold in Canada are excluded pursuant to paragraph 6(3)(b).

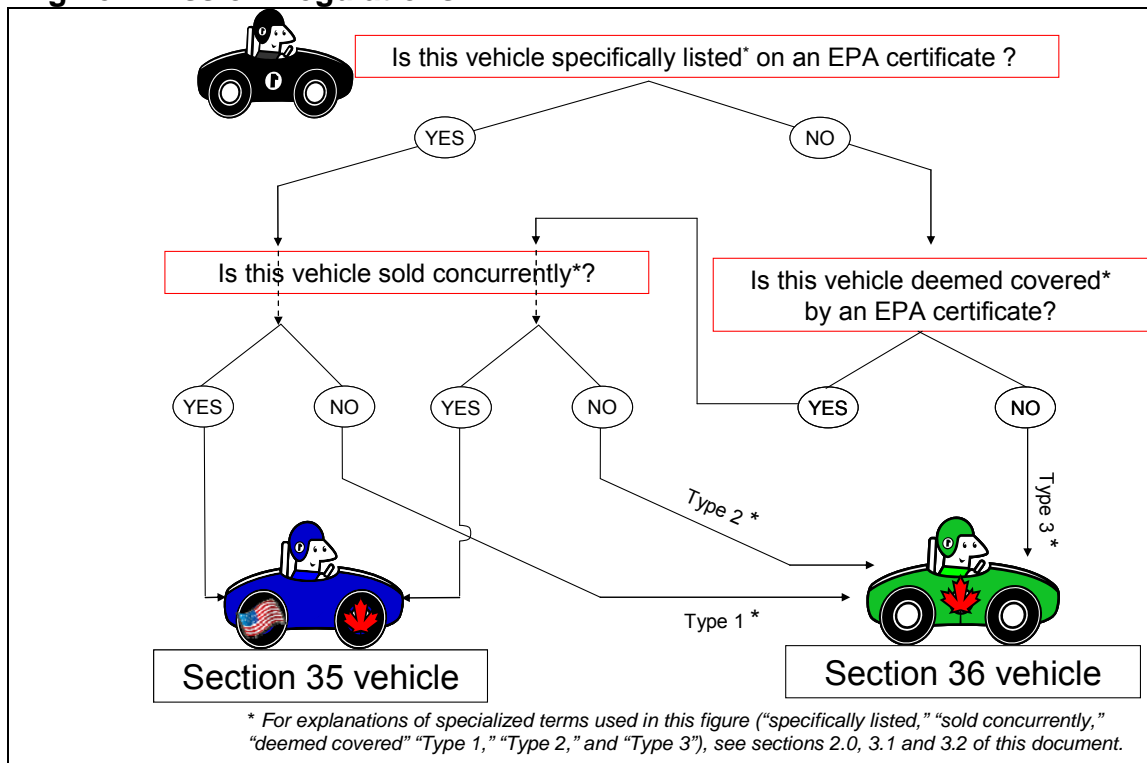
“Vehicle sold concurrently” means a vehicle that is sold in Canada, and for which at least one “equivalent vehicle” of the same model year is sold in the United States during the “model year” specified on the EPA certificate.

“Vehicle specifically listed” means a vehicle which make and model is listed on a valid EPA certificate of the same model year, and which is in a configuration permitted by the EPA certificate.

3.0 Background on evidence of conformity

According to subsection 153(1) of CEPA 1999, vehicles must conform to standards prescribed by regulation, and evidence of conformity with those standards must be “obtained and produced in the prescribed form and manner or, if the regulations so provide, in a form and manner satisfactory to the Minister” (paragraph.153(1)(b)). Sections 35 and 36 of the Regulations specify the form and manner requirements for evidence of conformity. Figure 1 illustrates how to determine whether a vehicle falls under section 35 or section 36 of the Regulations.

Figure 1. Determination of evidence of conformity to the On-Road Vehicle and Engine Emission Regulations



3.1 Vehicles covered by an EPA certificate and sold concurrently in Canada and in the United States (Section 35)

Section 35 of the Regulations identifies the evidence of conformity required for a vehicle that is covered by a valid EPA certificate³ and sold concurrently in Canada and in the United States.

³ An example of an EPA certificate has been included in Appendix B

3.1.1 Covered by an EPA certificate

1. Covered

For the purpose of the Regulations, a vehicle is considered covered by an EPA certificate if it is specifically listed on a valid EPA certificate. “Vehicle specifically listed” is defined in section 2.0 of this document and means: a vehicle which make and model is listed on a valid EPA certificate, and which is in a configuration permitted by the EPA certificate.

2. Deemed to be covered

In accordance with section 4 of the Regulations, a vehicle not specifically covered by an EPA certificate is deemed to be covered by an EPA certificate if:

- it is equivalent to a vehicle that is covered by a valid EPA certificate in that both vehicles share all the features described in the CFR⁴ that are used by the EPA to classify vehicles into test groups and evaporative and refuelling families ; and
- it has no features that could cause it to have a higher level of emissions than the vehicles tested for the issuance of the EPA certificate.

3.1.2 Sold concurrently

According to section 2.0 of this document, a vehicle sold in Canada is considered to be a vehicle that is sold concurrently when at least one equivalent vehicle of the same model year is sold in the United States during the model year specified on the EPA certificate. If required to demonstrate that the vehicle is sold concurrently in Canada and in the United States, the company has to provide a document demonstrating concurrent sale.

3.2 Canada-unique vehicles (Section 36)

Section 36 of the Regulations identifies the evidence of conformity required for a Canada-unique vehicle. The term “Canada-unique” is not used or defined in the Regulations, but it is used throughout this document to identify a vehicle for which evidence of conformity must be submitted as per section 36 of the Regulations. Generally, all vehicles that do not meet the criteria set out in section 35 of the Regulations fall under section 36 and are called “Canada-unique”. For convenience throughout this document, the Canada-unique vehicles are characterized as types 1, 2, or 3. These labels facilitate the determination of timelines and information requirements in other sections of this document.

⁴ Those features are currently described in sections. 86.1821 and 86.1827 of the CFR

Type 1 – Specifically listed on an EPA certificate, and sold in Canada but not in the United States

The vehicle is specifically listed on a valid certificate issued by the EPA, but it (or an *equivalent vehicle*) is not sold concurrently in the United States. Evidence of conformity has to be submitted to Environment Canada as per section 36 of the Regulations because the vehicle is not sold concurrently in the two countries.

Type 2 – Not specifically listed on an EPA certificate, but deemed to be covered by an EPA certificate, and sold in Canada but not in the United States

The vehicle is not specifically listed on a valid EPA certificate, but it has been deemed to be covered by an EPA certificate as described in section 3.1.1, above. The vehicle (or an equivalent vehicle) is not sold concurrently in the United States. Evidence of conformity has to be submitted to Environment Canada as per section 36 of the Regulations, because the vehicle is not sold concurrently in the two countries.

Type 3 – Neither specifically listed nor deemed covered by an EPA certificate, and sold in Canada but not in the United States

Evidence of conformity to the Regulations must be submitted to Environment Canada as per section 36, because there is no EPA certificate for that vehicle for that model year, the vehicle is not deemed to be covered by an EPA certificate, and the vehicle is not sold concurrently in the two countries.

The requirements for submitting evidence of conformity to the Regulations are stated in sections 36 and 36.1:

36.(1) For the purpose of paragraph 153(1)(b) of the Act, a company shall obtain and produce evidence of conformity for a vehicle other than one referred to in section 35 in a form and manner satisfactory to the Minister instead of as specified in that section.

(2) For greater certainty, a company shall submit the evidence of conformity to the Minister before importing a vehicle or applying a national emissions mark to it.

36.1 For greater certainty, a company that imports a vehicle or applies a national emissions mark to it under subsection 153(2) of the Act is not required to provide the evidence of conformity referred to in subsection 36(1) to the Minister before importing it or applying a national emissions mark to it, but must provide that evidence in accordance with subsection 153(2) before the vehicle leaves the possession or control of the company and before it is presented for registration under the laws of a province or an aboriginal government.”

4.0 Submission of evidence of conformity: Required documentation and timing

When a company submits evidence of conformity to Environment Canada, the company is responsible for identifying which information in the submission is confidential. That information will be dealt with in accordance with the Access to Information Act which is available at: <http://laws.justice.gc.ca/en/ShowTdm/cs/A-1///en?> and the Privacy Act that is available at: <http://laws.justice.gc.ca/en/P-21/index.html> .

4.1 When the vehicle falls under section 35

When a vehicle falls under section 35 of the Regulations, the required information is to be submitted upon written request from Environment Canada. It need not be submitted before the vehicle leaves the control of the company or before the vehicle is presented for registration. This information should be maintained and provided in accordance with section 38 of the Regulations. The following are the documentation requirements of section 35 of the Regulations:

35. (1) In the case of a vehicle that is covered by an EPA certificate and that is sold concurrently in Canada and in the United States, evidence of conformity for the purpose of paragraph 153(1)(b) of the Act in respect of a company shall consist of:

- (a) a copy of the EPA certificate covering the vehicle;
- (b) a document demonstrating that vehicles covered by the EPA certificate are sold concurrently in Canada and in the United States;
- (c) a copy of the records submitted to the EPA in support of the application for the issuance of the EPA certificate in respect of the vehicle; and
- (d) a U.S. emission control information label, that is permanently affixed to the vehicle in the form and location set out in
 - (i) section 1807, subpart S, of the CFR, for the applicable model year of light-duty vehicle, light-duty truck, medium duty passenger vehicle or complete heavy-duty vehicle...

(2) For the purpose of subsection (1), the U.S. emission control information label may be affixed to the vehicle in any other form and location that may be specified in the CFR.

4.1.1 If the vehicle is specifically listed on a valid EPA certificate

If the vehicle is specifically listed on a valid EPA certificate (and is sold concurrently in Canada and the in the United States), it automatically falls under section 35 of the

Regulations, and the information listed in that section must be submitted only upon written request from Environment Canada.

4.1.2 If the vehicle is to be deemed covered

If the vehicle is not specifically listed on a valid EPA certificate, and the company wishes to demonstrate that the vehicle should be considered deemed covered by an EPA certificate under section 4 of the Regulations, the company needs to provide the information:

- A table comparing all of the information listed in sections 86.1821 and 86.1827 of the CFR regarding the classification of vehicles into test groups and evaporative and refuelling families for both the vehicles covered by the valid EPA certificate, and the vehicle that the company wants to be considered deemed covered by the same certificate. A few examples of such table are provided in Appendix C.
- A statement of compliance letter including a written declaration that this vehicle “has no features that could cause it to have a higher level of emissions than the vehicles tested for the issuance of the EPA certificate”. To support this assertion, the company should include statements or data used to make that determination. Examples of such statements can be found in Appendix C.
- A copy of the valid EPA certificate of the vehicle that is certified in the United States and that is used to establish the “deemed covered” designation.

This information must be submitted before the vehicle leaves the possession or control of the company and before it is presented for registration under the laws of a province or an aboriginal government.

If the information submitted meets the criteria of section 4 of the Regulations (the three points presented above) and if the vehicle is sold concurrently, the vehicle would thereafter be considered to fall under section 35 of the Regulations and it would not be necessary to submit evidence of conformity upfront under section 36 (Canada-unique). However, like other section 35 vehicles, the evidence of conformity has to be submitted upon written request from Environment Canada.

The evidence of conformity requirements and the submission timelines for section 35 vehicles are summarized in Table 1.

Table 1. Types of section 35 vehicles, the required evidence of conformity, and submission timelines

Type	What to submit	When to submit
Specifically listed on an EPA certificate (section 19 and 35)	Information required under section 35: <ul style="list-style-type: none"> • A copy of the EPA certificate • A document demonstrating that the vehicle is sold concurrently in Canada and in the United States • The information that was sent to the EPA to obtain the certificate • Vehicle Emissions Control Information label 	<ul style="list-style-type: none"> • Upon request from Environment Canada
Deemed covered (section 4)	<ul style="list-style-type: none"> • A comparison table of information listed in CFR sections 86.1821 and 86.1827 for both the vehicles covered by the valid EPA certificate and the vehicle the company wants deemed covered by the same certificate • A statement of compliance letter including a written declaration that this vehicle has no features that could cause it to have a higher level of emissions than the vehicles tested for the issuance of the EPA certificate • A copy of the valid EPA certificate under which the vehicle is deemed covered 	<ul style="list-style-type: none"> • Before the vehicle leaves the control of the company; or • Before the vehicle is presented for registration
	<ul style="list-style-type: none"> • The information listed in section 35 	<ul style="list-style-type: none"> • Later, if requested by Environment Canada

4.2 When the vehicle falls under section 36 (Canada-unique)

Since the Regulations are aligned with those of the United States, the general intent is to enable companies to establish compliance by submitting information similar to that which is provided to obtain and maintain an EPA certificate and required under paragraph 35(1)(c) of the Regulations. The following paragraphs summarize the information that shall be obtained and produced “in a form and manner satisfactory to the Minister”. It should be noted that this list may change from time to time to respond to evolving testing and information requirements for different types of vehicles, and to stay aligned with the requirements in the United States.

A separate submission is required for each test group. In cases where evidence of conformity for more than one test group is being presented, identical information

pertaining to multiple test group may be catalogued in a “common section” in a fashion similar to that which the EPA allows. More information on the common section can be found in section 2.0 and in Appendix A of this document.

As stated in sections 36 and 36.1 of the Regulations, evidence of conformity to the Regulations must be presented before the vehicle leaves the possession or control of the company or before it is presented for registration under the laws of a province or an aboriginal government.

Appendix D illustrates the procedure to provide evidence of conformity “in a form and manner satisfactory to the Minister” for the vehicles referred to in section 36 of the Regulations.

The information that needs to be submitted before the vehicle leaves the control of the company or before the vehicle is presented for registration varies according to the type of Canada-unique vehicle under consideration, as shown in table 2:

Table 2. Types of section 36 vehicles, the required evidence of conformity, and submission timelines

Type	What to submit	When to submit
Type 1 – Specifically listed on an EPA certificate and sold in Canada but not in the United States	<ul style="list-style-type: none"> • A copy of the valid EPA certificate that shows that the make and model are specifically listed on an EPA certificate⁵ • A statement of compliance letter 	<ul style="list-style-type: none"> • Before the vehicle leaves the control of the company; or • Before the vehicle is presented for registration
	<ul style="list-style-type: none"> • The information listed under a Type 3 vehicle 	<ul style="list-style-type: none"> • Later, if requested by Environment Canada
Type 2 – Deemed covered by an EPA certificate and sold in Canada but not in the United States	<ul style="list-style-type: none"> • A table comparing the information listed in CFR sections 86.1821 and 86.1827 for both the vehicle covered by the valid EPA certificate and the vehicle that the company wants deemed covered by the same certificate • A statement of compliance letter including a written declaration that this vehicle has no features that could cause it to have a higher level of emissions than the vehicles tested for the issuance of the EPA certificate • A copy of the valid EPA certificate under which the vehicle is deemed covered 	<ul style="list-style-type: none"> • Before the vehicle leaves the control of the company; or • Before the vehicle is presented for registration
	<ul style="list-style-type: none"> • The information listed under a Type 3 vehicle 	<ul style="list-style-type: none"> • Later, if requested by Environment Canada
Type 3 – Neither specifically listed nor deemed covered by an EPA certificate and sold in Canada but not in the United States	<ul style="list-style-type: none"> • Information equivalent to what must be submitted to the EPA to obtain a certificate is required, as described in subsections 4.2 of this document: technical information, vehicle emissions control information label, statement of compliance letter 	<ul style="list-style-type: none"> • Before the vehicle leaves the control of the company; or • Before the vehicle is presented for registration

⁵ It should be noted that the submission of an EPA certificate as the evidence of conformity for a type 1 vehicle is acceptable where it establishes that the vehicles comply with all applicable standards set out in the On-Road Vehicle and Engine Emission Regulations made under the Canadian Environmental Protection Act, 1999 as should be stated in the statement of compliance letter (e.g.. no deviations from prescribed standards such as On-Board Diagnostic (OBD) system deficiencies)

It should be noted that the information requirements that are listed above reflect what information is in a form and manner satisfactory to the Minister. This information should be presented before the vehicle leaves the possession or control of the company or before it is presented for registration. All the information that is listed for a type 3 could be later requested by Environment Canada for types 1 and 2.

4.2.1 Statement of compliance letter

A submission of evidence of conformity to the Regulations for Canada-unique vehicles must contain an original signed letter from an authorized representative of the company that offers for sale or intends to import the subject vehicles in Canada. An example of a statement of compliance letter is provided in Appendix E.

The letter must include as a minimum:

- The identification of the vehicle (e.g. make, model, model year, test group);
- An unconditional statement of compliance with the applicable exhaust emission and evaporative emission standards (e.g. Tier 2 Bin 5) of the On-Road Vehicle and Engine Emission Regulations made under the *Canadian Environmental Protection Act, 1999*
- A statement acknowledging that the signatory is authorized to act on behalf of the company
- A request for an acknowledgment by Environment Canada that the evidence of conformity submitted has been obtained and produced in a form and manner satisfactory to the Minister

The following additional information may be included:

- The identity of persons/entities (both inside or outside of the company) that Environment Canada may contact regarding the submission (e.g. technical contacts for importers);
- Indicate whether some information is to be treated as confidential;
- Any other information believed to be relevant.

4.2.2 Technical information

The technical information required is equivalent to that specified in paragraph 35(1) (c) of the Regulations. The list of technical information that Environment Canada requires can be found in Appendix F. It is based on information that is submitted to the EPA for the purpose of certification in a Part 1 as defined in subsection 86.1844 of the CFR.

4.2.3 Sample Vehicle Emissions Control Information (VECI) label

A sample drawing or copy of the vehicle emission control information label must be included in the submission of evidence of conformity.

The vehicle emission control information label can be provided in English or in French and should meet the specifications provided in subparagraph 35(1)(d)(i) of the Regulations which incorporates by reference section 86.1807 of the CFR. Below is an example of acceptable text for the compliance statement. A sample label can be found in Appendix G.

“THIS VEHICLE CONFORMS TO THE ON-ROAD VEHICLE AND ENGINE EMISSION REGULATIONS APPLICABLE TO 200X MODEL YEAR TIER 2 BIN # [state vehicle class as per subsection 6 (1) of the Regulations]

In lieu of the compliance statement, a company has the option of affixing the national emissions mark. In that particular situation, the VECI label should also be applied to provide the necessary technical information. (Model year, Bin #, test group and evaporative family). It should be noted that the national emission mark is generally required for vehicles that are manufactured in Canada. Before affixing the national emission mark, the company must obtain the authorization of the Minister. More information on the national emission mark can be found in Appendix F.

5.0 Administrative information

5.1 Who should present evidence of conformity?

The company that seeks to import or offers for sale a vehicle or apply a national emission mark is responsible for submitting the evidence of conformity to the Regulations as required under sections 35 and 36.

When equivalent vehicles are imported or offered for sale by two different companies, the evidence of conformity has to be submitted by each company. Both companies need to submit a compliance letter and the proper evidence of conformity. However, instead of submitting the information twice, both letters of compliance may reference the information submitted by only one of the two companies and indicate that a copy of the letter has been sent to the other company. It is each company's responsibility to ensure compliance with all applicable sections of the Regulations such as national emission mark requirements, fleet average NOx requirements, end-of-model-year reports, maintenance of records, etc. Regarding evidence of conformity, subsections 38(2) and (3) of the Regulations states that:

38. (1) A company shall maintain, in writing or in a readily readable electronic or optical form

(a) the evidence of conformity referred to in paragraphs 35(1)(a) to (c) and section 36 and records referred to in paragraph 153(1)(g) of the Act for a period of

(i) at least eight years after the date of manufacture, for engines and vehicles, other than motorcycles...

(2) If the evidence of conformity and records referred to in subsection (1) are maintained on behalf of a company, the company shall keep a record of the name and street address and, if different, the mailing address of the person who maintains those records.

(3) If the Minister makes a written request for the evidence of conformity or the records referred to in subsections (1) and (2), or a summary of any of them, the company shall provide the Minister with the evidence of conformity, records or summary, in either official language, within

(a) 40 calendar days after the request is delivered to the company; or

(b) if the evidence of conformity or records referred to in section 35 or 36 must be translated from a language other than French or English, 60 calendar days after the request is delivered to the company.

5.2 Where should evidence of conformity be sent?

Submit the evidence of conformity to the Regulations, in either English or French, in paper copy or electronically, to the addresses that follow:

Electronic versions

The electronic documentation must be in PDF or Microsoft Office format. It should be sent to Emission-Verification@ec.gc.ca with a case specific subject line:

- To submit a submission for a Canada-unique vehicle under section 36 of the Regulations (Type 1, 2 or 3):
“Canada-unique submission - Name of Company – ECA # (once assigned)”
- To submit a submission to demonstrate that a vehicle should be considered deemed covered by an EPA certificate under section 4 of the Regulations:
“Deemed covered submission - Name of Company ECD # (once assigned)”
- To submit a submission for a vehicle that falls under section 35 of the Regulations (when requested):
“Confirmatory testing submission - Name of Company - EC200X-XXX”

Paper copies

Paper copies should be sent to:

Director
Transportation Division
Energy and Transportation Directorate
Environment Canada
351 St. Joseph Blvd.
Gatineau, QC K1A 0H3

5.3 Response from Environment Canada

Environment Canada will send acknowledgements to the manufacturer or the importer when evidence of conformity is received and considered to be “in a form and manner satisfactory to the Minister” based on the elements discussed in this document. The acknowledgement that “form and manner” are satisfactory to the Minister does not relieve the company of the obligation to comply with the Regulations and the Act.

In cases where a company is submitting applications for more than one test group, it would be helpful if it stated the order in which it would prefer EC to process them.

When a company submits information for a test group for which an identical submission was received and acknowledged by Environment Canada the previous year, the company should notify Environment Canada that the submission is a direct carry-over (identical to the preceding year) to facilitate and accelerate the process.

Environment Canada will strive to respond to submissions according to the timelines shown in Table 3, but incomplete submissions may cause delays beyond the dates given in the table. When information is found to be missing and Environment Canada is waiting to receive additional information from a company, that wait time is added to the processing time listed below.

Table 3. Environment Canada response time for submissions of evidence of conformity to the On-Road Vehicle and Engine Emission Regulations

Type of vehicle		Environment Canada’s turnaround time when COMPLETE information is provided
Section 35	Specifically listed on an EPA certificate (section 19 and 35)	<ul style="list-style-type: none"> Information receipt: 15 calendar days after date of reception
	Deemed covered by an EPA certificate (section 4)	<ul style="list-style-type: none"> Info provided for “deemed covered” satisfactory: 20 calendar days after date of reception
Section 36	Type 1– Specifically listed on an EPA certificate	<ul style="list-style-type: none"> Form and manner are satisfactory to the Minister: 15 calendar days after date of reception
	Type 2 – Deemed covered by an EPA certificate	<ul style="list-style-type: none"> Form and manner are satisfactory to the Minister: 20 calendar days after date of reception
	Type 3 – Neither specifically covered nor deemed covered by an EPA certificate	<ul style="list-style-type: none"> Information receipt: 15 calendar days after date of reception Form and manner are satisfactory to the Minister: 60 calendar days after date of reception

6.0 Frequently asked questions

6.1 Who should I contact if I have questions or concerns?

Please contact the Testing, Fleet Management and Emissions Verification Section, Transportation Division of Environment Canada at:

Email: Emission-Verification@ec.gc.ca

Phone: 613-998-3579

6.2 If information in this document conflicts with information in the Regulations, which should I follow?

This document is intended to provide guidance only. It should be used to answer common questions and to determine what is “satisfactory to the Minister” as specified in the Regulations. It does not in any way supersede or modify the *Canadian Environmental Protection Act, 1999* or the On-Road Vehicle and Engine Emission Regulations. In the event of an inconsistency between this document and the Act and/or the Regulations, the Act and the Regulations prevail.

6.3 Why vehicles that are Canada-unique cannot benefit from the same exemptions that are available through the EPA’s Administrator Discretion?

Section 19 of the Regulations requires that vehicles certified by the EPA and sold concurrently in Canada and in the United States comply with the certification and in-use emission standards referred to in the EPA certificate of conformity. In combination with subsection 153(3) of the Act, section 19 of the Regulations also provides that such vehicles are deemed to conform to the prescribed standards if the United States EPA has certified that the vehicles conforms to US standards “as applied by the agency”, unless the Minister determines otherwise. This framework has been put in place to implement a fully integrated emission certification approach for vehicles that are marketed in both Canada and the US, including cases where the United States EPA’s Administrator has applied discretion in the issuance of the certificate.

The *Canadian Environmental Protection Act, 1999* does not give the Minister of the Environment the authority to approve deviations from conformity with prescribed regulatory requirements of the Regulations. Rather, section 156 of the Act provides for the Governor in Council to grant an exemption by order in three very specific circumstances, namely where conformity would:

- (a) create substantial financial hardship for the company.
- (b) impede the development of new features for safety, emission monitoring or emission control that are equivalent to or superior to those that conform to prescribed standards.

(c) impede the development of new kinds of vehicle, engines or vehicle or engine systems or components.

Canada-unique vehicles are required to conform to the standards of the United States CFR that are incorporated by reference in section 12 of the Regulations. In view of the legislative limitations above, paragraph 1(2)(a) of the Regulations states that “Standards that are incorporated by reference in these Regulations from the CFR are those expressly set out in the CFR and shall be read as excluding references to the EPA or the Administrator of the EPA exercising discretion in any way”. Accordingly, the Regulations are structured in a manner that any deviations from the prescribed standards for vehicles sold only in Canada (and not the United States) must be addressed pursuant to the provisions explicitly set out for this purpose in the Act (e.g. section 156).

Acknowledgements

This document has been written collaboratively by Environment Canada and representatives of the Canadian Vehicle Manufacturers' Association and the Association of International Automobile Manufacturers of Canada.

Appendix A - Information that can be grouped into a common section

- Correspondence and Communications Information
- Certificate Information
- Durability Group Description, including:
 - Model and Family Identification Chart
 - Functional Diagrams
 - Durability Procedure Description
- Evaporative/Refueling Family Description
- Evaporative Emission Control System Description
- Statements
 - Emission Testing Waiver Statement
 - Other Statements
- OBD Description
- Description of Alternate-Fuelled Vehicles
- Auxiliary Emission Control Device AECD Description
- Description of Vehicles Covered by the EPA Certificate or the Evidence of Conformity
- Test Parameters
 - Shifting Schedule
 - Engine Starting Procedures
 - Fuel Tank Temperature Profiles
 - Other relevant test parameters
- Projected Sales
- Useful Life
- Altitude Compliance
- Cold Temperature Defeat Device
- Altitude Performance Adjustments
- Particulate Matter Compliance Statement
- Idle CO
- Certification Short Test
- Spitback
- Durability Provision Statement
- OBD Compliance Statement
- Any information that could be confidential
- List of part number
- Basic calibration information
- VECI – Label
- Notification of Running Change Information

Appendix B - Example of an EPA certificate



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
 ANN ARBOR, MICHIGAN 48105
 200X MODEL YEAR
 CERTIFICATE OF CONFORMITY
 WITH THE CLEAN AIR ACT OF 1990 ISSUED TO:

Office of
 Transportation
 and Air Quality

Manufacturer Name	Certificate Number	Effective Date	Signed by	Issued Date
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Test Group: _____ **Evaporative/Refueling Family:** _____
Applicable Exhaust Emission Standards: _____
Applicable Evaporative/Refueling Emission Standards: _____
 Engine Displacement: _____
 Exhaust Emission Test Fuel Type: _____
 Full Useful Life Miles: Exhaust Emissions: _____ Evaporative/Refueling Emissions: _____
 Models Covered: _____

Pursuant to section 206 of the Clean Air Act (42 U.S.C.7525) and 40 CFR Part 86, this certificate of conformity is hereby issued with respect to test vehicles which have been found to conform to the requirements of the regulations on Control of Air Pollution from New Motor Vehicles and New Motor Vehicle Engines (40 CFR Part 86) and which represent the new motor vehicle models listed above by test group and evaporative/refueling emission family, more fully described in the application of the above named manufacturer. Vehicles covered by this certificate have demonstrated compliance with the applicable emission standards as more fully described in the manufacturer's application. This certificate covers the above models, which are designed to meet the applicable emission standards specified in 40 CFR Part 86 at both high and low altitude as applicable.

EPA is issuing this certificate subject to the conditions and provisions of 40 CFR 86.1848(c). Based on the request of the manufacturer, EPA is issuing this certificate subject to the conditions and provisions of 40 CFR 86.1835(d).

This certificate covers only those new motor vehicles or vehicle engines which conform, in all material respects, to the design specifications that applied to those vehicles or engines described in the documentation required by 40 CFR Part 86 and which are produced during the 200x model year production period stated on this certificate of the said manufacturer, as defined in 40 CFR Part 86.

Catalyst-equipped vehicles designed to be operated on gasoline or flexible fuel are equipped with an emission control device which the Administrator has determined will be significantly impaired by the use of leaded fuel. This certificate is issued subject to the conditions specified in 40 CFR 80.24. Catalyst-equipped vehicles designed to be operated on gasoline or flexible fuel, otherwise covered by this certificate, which are driven outside the United States, Canada, Mexico, Japan, Australia, Taiwan and the Bahama Islands will be presumed to have been operated on leaded fuel resulting in deactivation of the catalysts. If these vehicles are imported or offered for importation without retrofit of the catalyst, they will be considered not to be within the coverage of this certificate unless included in a catalyst control program operated by manufacturer or a United States Government Agency and approved by the Administrator.

In the case of completely assembled vehicles, this certificate of conformity covers only vehicles which are completely manufactured prior to January 1, 200x. Normally incompletely assembled vehicles (such as cab chassis) may be completed after this date, provided that the basic manufacturing (including installation of the emission control system) was completed prior to January 1, 200x. This certificate does not cover vehicles sold, offered for sale, or introduced, or delivered for introduction, into commerce in the U.S. prior to the effective date of the certificate.

Appendix C - Examples of comparison tables for deemed covered vehicles

The following tables are examples of what could be submitted to demonstrate that a vehicle that is not specifically listed on an EPA certificate could be deemed covered by an EPA certificate. The first table is the simplest situation where the same vehicle is marketed under a different name in Canada. The second table shows what could be submitted when there is only a difference of body style, options, etc. Finally, the third table is an example of a more significant difference such as engine size, emission standard, etc.

Example 1 - Marketed with a different name

Comparison table for "Deemed Covered" vehicles (Section 4 of the Regulations)		
	EPA Certified Test Group- Evaporative/Refueling Family	Canadian Vehicle
Make and Model Name	Make, USCAR	Make, CanadaCAR
Body Style (list body style + any standard/optional equipment differences between the two vehicles offered that could have an effect on emissions)	4 Door Sedan	Same
Test Group Criteria (1 through 5, or "Other")	9XXXXX00.0XXX	
1. Durability Group		
Combustion Cycle (e.g., 2-stroke, 4-stroke, Otto Cycle, Diesel Cycle)	Otto cycle	Same
Engine Type (e.g., piston, rotary, air-cooled, water-cooled)	Piston	Same
Fuel Used (e.g., gasoline, diesel, methanol, ethanol, CNG, LPG, flex-fuel)	Gasoline	Same
Basic Metering System (e.g., throttle body injection, port injection, CNG fuel mixer)	Port Injection	Same
Catalyst Construction (e.g., beads, monolith)	Monolith	Same
Precious metal composition of the catalyst by type of principal active material (e.g., platinum based ox-cat, palladium based ox-cat, platinum and rhodium 3-way cat, palladium and rhodium 3-way cat, platinum and palladium and rhodium 3-way cat)	Pt/Rh TWC	Same
Catalyst Grouping Statistic (GS) or other criteria (40 CFR 86.1820-01(b)(7)(i) or (ii))	GS	Same
Other Durability Grouping strategy (based on 40 CFR 86.1820-01(c), (d), or (e))	N/A	N/A
2. Engine Displacement (within 15 percent or 50 in ³ , whichever is larger)	225 cubic inches	Same
3. Number of cylinders or combustion chambers	6	Same
4. Arrangement of cylinders or combustion chambers (e.g., in-line V, horizontally opposed)	V	Same
5. Emission standards (same or more stringent)	Tier 2, Bin 5	Same
Other: Grouping criteria based on 40 CFR 86.1827-01(b), (c), (d), or (e)	N/A	N/A
Evaporative/Refueling Family Criteria (for gasoline- or methanol-fueled vehicles)	9XXXXR0170YYY	
1. Type of vapor storage device (e.g., canister, air cleaner, crankcase)	Canister	Same
2. Basic Canister Design		
Working capacity (within a 10 gram range)	170	Same
System configuration (Number of canisters, method of connection (e.g., series or parallel))	1 canister	Same
Canister geometry, construction and materials	Cylinder, 5-chamber, plastic	Same
3. Fuel system	DFI (Direct Fuel Injection)	Same
4. Type of refueling emission control system (e.g., integrated or non-integrated with evaporative control system)	Integrated	Same
5. Fillpipe sealing mechanism (e.g., mechanical, liquid, other)	Liquid	Same
6. Vapor control system or method of controlling vapor flow through the vapor line to the canister (e.g., type of valve, vapor control strategy)	Vacuum, purge control valve	Same
7. Purge control system (e.g., type of valve, purge control strategy)	Duty cycle controlled by ECM	Same
8. Vapor hose material	4-layer elastomer	Same
9. Fuel tank material	Plastic	Same
Other: Grouping criteria based on 40 CFR 86.1821-01(c), (d), or (e)	N/A	N/A
Statement		
The canadian vehicle described above has no features that could cause it to have a higher level of emissions than the vehicles tested for the issuance of the EPA certificate.		
Comments / Additional Information		
By taking into consideration features such as the heaviest test weight, the highest roadload horsepower and the highest N/V ratio available, this vehicle does not represent the "worst case" in this test group. Similarly, this vehicle is not the "worst case" evap vehicle in the evap/ORVR family because it has not the lowest cumulative purge to tank volume ratio.		

Example 2 - Different Body Style

Example 2 - Different Body Style		
Comparison table for "Deemed Covered" vehicles (Section 4 of the Regulations)		
	EPA Certified Test Group-Evaporative/Refueling Family	Vehicle XYZ (Canadian Concept)
Make and Model Name	Make, Model	Same
Body Style (list body style + any standard/optional equipment differences between the two vehicles offered that may affect emissions)	4 Door Sedan	2 Door Sedan
Test Group Criteria (1 through 5, or "Other")	9XXXXX00.0XXX	
1. Durability Group		
Combustion Cycle (e.g., 2-stroke, 4-stroke, Otto Cycle, Diesel Cycle)	Otto cycle	Same
Engine Type (e.g., piston, rotary, air-cooled, water-cooled)	Piston	Same
Fuel Used (e.g., gasoline, diesel, methanol, ethanol, CNG, LPG, flex-fuel)	Gasoline	Same
Basic Metering System (e.g., throttle body injection, port injection, CNG fuel mixer)	Port Injection	Same
Catalyst Construction (e.g., beads, monolith)	Monolith	Same
Precious metal composition of the catalyst by type of principal active material (e.g., platinum based ox-cat, palladium based ox-cat, platinum and rhodium 3-way cat, palladium and rhodium 3-way cat, platinum and palladium and rhodium 3-way cat)	Pt/Rh TWC	Same
Catalyst Grouping Statistic (GS) or other criteria (40 CFR 86.1820-01(b)(7)(i) or (ii))	GS	Same
Other Durability Grouping strategy (based on 40 CFR 86.1820-01(c), (d), or (e))	N/A	N/A
2. Engine Displacement (within 15 percent or 50 in ³ , whichever is larger)	225 cubic inches	Same
3. Number of cylinders or combustion chambers	6	Same
4. Arrangement of cylinders or combustion chambers (e.g., in-line V, horizontally opposed)	V	Same
5. Emission standards (same or more stringent)	Tier 2, Bin 5	Same
Other: Grouping criteria based on 40 CFR 86.1827-01(b), (c), (d), or (e)	N/A	N/A
Evaporative/Refueling Family Criteria (for gasoline- or methanol-fueled vehicles)	9XXXR0170YYY	
1. Type of vapor storage device (e.g., canister, air cleaner, crankcase)	Canister	Same
2. Basic Canister Design		
Working capacity (within a 10 gram range)	170	Same
System configuration (Number of canisters, method of connection (e.g., series or parallel))	1 canister	Same
Canister geometry, construction and materials	Cylinder, 5-chamber, plastic	Same
3. Fuel system	DFI (Direct Fuel Injection)	Same
4. Type of refueling emission control system (e.g., integrated or non-integrated with evaporative control system)	Integrated	Same
5. Fillpipe sealing mechanism (e.g., mechanical, liquid, other)	Liquid	Same
6. Vapor control system or method of controlling vapor flow through the vapor line to the canister (e.g., type of valve, vapor control strategy)	Vacuum, purge control valve	Same
7. Purge control system (e.g., type of valve, purge control strategy)	Duty cycle controlled by ECM	Same
8. Vapor hose material	4-layer elastomer	Same
9. Fuel tank material	Plastic	Same
Other: Grouping criteria based on 40 CFR 86.1821-01(c), (d), or (e)	N/A	N/A
Statement		
The canadian vehicle described above has no features that could cause it to have a higher level of emissions than the vehicles or engines tested for the issuance of the EPA certificate.		
Comments / Additional Information		
By taking into consideration features such as the heaviest test weight, the highest roadload horsepower and the highest N/V ratio available, this vehicle does not represent the "worst case" in this test group. Similarly, this vehicle is not the "worst case" evap vehicle in the evap/ORVR family because it has not the lowest cumulative purge to tank volume ratio. The 2 door sedan weight (1500 kg) is less than the 4 door (1550 kg) offered in the U.S. The reduced weight would reduce the load on the engine.		

Example 3 - Technical Differences

Comparison table for "Deemed Covered" vehicles (Section 4 of the Regulations)		
	EPA Certified Test Group- Evaporative/Refueling Family	Vehicle XYZ (Canadian Concept)
Make and Model Name	Make, Model	Same
Body Style (list body style + any standard/optional equipment differences between the two vehicles offered that may affect emissions)	4 Door Sedan	Same
Test Group Criteria (1 through 5, or "Other")	9XXXXX00.0XXX	
1. Durability Group		
Combustion Cycle (e.g., 2-stroke, 4-stroke, Otto Cycle, Diesel Cycle)	Otto cycle	Same
Engine Type (e.g., piston, rotary, air-cooled, water-cooled)	Piston	Same
Fuel Used (e.g., gasoline, diesel, methanol, ethanol, CNG, LPG, flex-fuel)	Gasoline	Same
Basic Metering System (e.g., throttle body injection, port injection, CNG fuel mixer)	Port Injection	Same
Catalyst Construction (e.g., beads, monolith)	Monolith	Same
Precious metal composition of the catalyst by type of principal active material (e.g., platinum based ox-cat, palladium based ox-cat, platinum and rhodium 3-way cat, palladium and rhodium 3-way cat, platinum and palladium and rhodium 3-way cat)	Pt/Rh TWC	Same
Catalyst Grouping Statistic (GS) or other criteria (40 CFR 86.1820-01(b)(7)(i) or (ii))	**1** <i>GS</i>	**2** <i>Same</i>
Other Durability Grouping strategy (based on 40 CFR 86.1820-01(c), (d), or (e))	**3** <i>N/A</i>	**4** <i>N/A</i>
2. Engine Displacement (within 15 percent or 50 in ³ , whichever is larger) (50 in ³ = 0.819L = 819cc)	225 cubic inches	**5** <i>176 cubic inches</i>
3. Number of cylinders or combustion chambers	6	Same
4. Arrangement of cylinders or combustion chambers (e.g., in-line V, horizontally opposed)	V	Same
5. Emission standards (same or more stringent)	Tier 2, Bin 5	**6** <i>Tier 2, Bin 3</i> <i>All vehicles in the canadian test group are certified to Tier 2 Bin 3</i>
Other: Grouping criteria based on 40 CFR 86.1827-01(b), (c), (d), or (e)	**7**	**8**
Evaporative/Refueling Family Criteria (for gasoline- or methanol-fueled vehicles)	9XXXR0170YYY	
1. Type of vapor storage device (e.g., canister, air cleaner, crankcase)	Canister	Same
2. Basic Canister Design		
Working capacity (within a 10 gram range)	170	**9** <i>180</i>
System configuration (Number of canisters, method of connection (e.g., series or parallel))	1 canister	Same
Canister geometry, construction and materials	Cylinder, 5-chamber, plastic	Same
3. Fuel system	DFI (Direct Fuel Injection)	Same
4. Type of refueling emission control system (e.g., integrated or non-integrated with evaporative control system)	Integrated	Same
5. Fillpipe sealing mechanism (e.g., mechanical, liquid, other)	Liquid	Same
6. Vapor control system or method of controlling vapor flow through the vapor line to the canister (e.g., type of valve, vapor control strategy)	Vacuum, purge control valve	Same
7. Purge control system (e.g., type of valve, purge control strategy)	Duty cycle controlled by ECM	Same
8. Vapor hose material	4-layer elastomer	Same
9. Fuel tank material	Plastic	Same
Other: Grouping criteria based on 40 CFR 86.1821-01(c), (d), or (e)	**10**	**11**
Statement		
The canadian vehicle described above has no features that could cause it to have a higher level of emissions than the vehicles or engines tested for the issuance of the EPA certificate.		
Comments / Additional Information		
By taking into consideration features such as the heaviest test weight, the highest roadload horsepower and the highest N/V ratio available, this vehicle does not represent the "worst case" in this test group. Similarly, this vehicle is not the "worst case" evap vehicle in the evap/ORVR family because it has not the lowest cumulative purge to tank volume ratio.		

****#****: Notes on verso

List of changes that are allowed but would require justification/explanation

****1****

If this durability group was established by some means other than the grouping statistic, a brief technical explanation would be provided here.

****2****

If this vehicle qualifies to be in the same durability group based on the means used to establish the EPA-certified group, then "Same" would be indicated. If an alternate methodology were used, then a brief technical explanation would be provided here.

****3****

If this durability group was established by some means other than the criteria in 1 a. through 1.g. above, a brief technical explanation would be provided here.

****4****

If this vehicle qualifies to be in the same durability group based on the means used to establish the EPA-certified group, then "Same" would be indicated. If an alternate methodology were used, then a brief technical explanation would be provided here.

****5****

If the engine displacement is not the same as the EPA-certified test group, then the actual displacement would be entered. Vehicles with engine displacements outside of the 15 percent/50 in3 criteria do not qualify to be in the same test group.

****6****

If the applicable emission standard is more stringent than the EPA-certified test group, it would be stated here, along with a statement that all vehicles in the test group are certified to the more stringent standard.

****7****

If this test group was established by some means other than the grouping criteria in 1 through 5 above, a brief technical explanation would be provided here.

****8****

If this vehicle qualifies to be in the same test group based on the "Other" means used to establish the EPA-certified test group, then "Same" would be indicated. If an alternate methodology were used, then a brief technical explanation would be provided

****9****

If the working capacity is not the same as the EPA-certified test group, then the actual value would be entered. Canisters with working capacities outside of the 10 gram range do not qualify to be included in the same evaporative/refueling family.

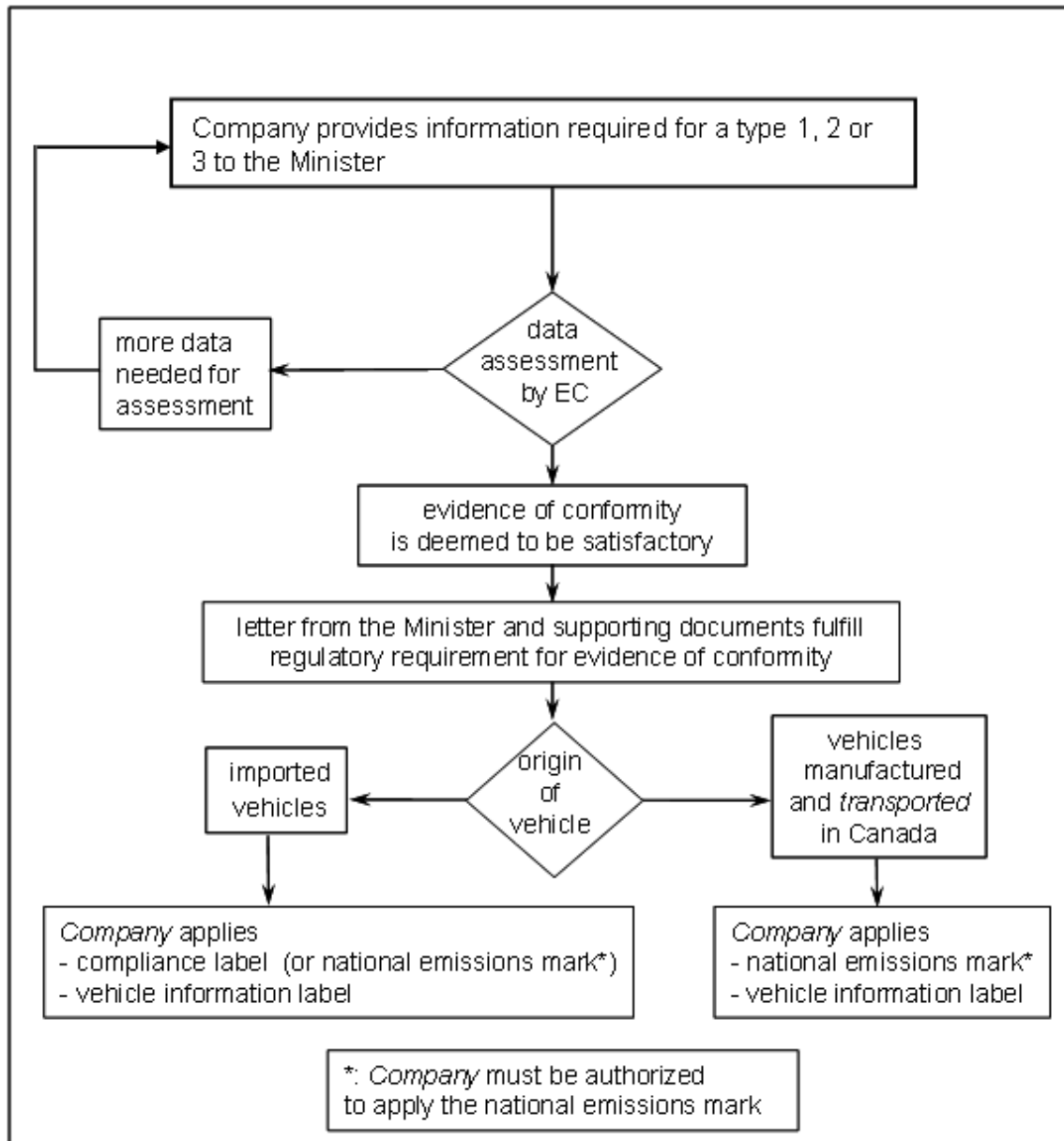
****10****

If this evaporative/refueling family was established by some means other than the grouping criteria in 1 through 9 above, a brief technical explanation would be provided here.

****11****

If this vehicle qualifies to be in the same evaporative/refueling family based on the "Other" means used to establish the EPA-certified group, then "Same" would be indicated. If an alternate methodology were used, then a brief technical explanation would be provided here.

Appendix D - Procedure for the Submission of Evidence of Conformity under Section 36



Appendix E - Example of an Evidence of Conformity Letter

[Company Identification]

[Insert Date]

Director, Transportation Division,
Energy and Transportation Directorate,
Environment Canada
351 St. Joseph Blvd
Gatineau, QC
K1A 0H3

Dear [Insert Name]:

Re: Submission of Evidence of Conformity pursuant to s.36 of the On-Road Vehicle and Engine Emission Regulations for 20XX Model Year [Vehicle Model] (Test Group: [Test Group]).

[Company Name] intends to sell a 20XX model year [Vehicle Model], in Canada. The subject vehicle model, a [vehicle class] vehicle, [is covered, (attached) OR is not covered] by a certificate of conformity issued by the U.S. Environmental Protection Agency and will/or will not be sold concurrently in the United States.

Standard to which the vehicle conforms

Exhaust emission standard	Evaporative emission standard
Tier2 (BinY)	TierX

[Company Name] attests that all vehicles of this model comply with all applicable standards set out in the On-Road Vehicle and Engine Emission Regulations made under the Canadian Environmental Protection Act, 1999. Attached, please find [Company Name]'s evidence of such conformity, including a detailed description of the subject vehicles.

[Company Name] requests that Environment Canada acknowledge that the attached evidence of conformity has been obtained and produced in a form and manner satisfactory to the Minister.

As the signatory of this letter, I, [Name], certify that I am authorized to act on behalf of [Company Name] concerning the 20XX [Vehicle Model]. Should you have any questions in regard to the information provided, please contact [Name, Position and Company Name].

[Parts (as listed)] of the information supplied in this package is classified as confidential.

[Signature]
[Insert Name]
[Position]
[Contact Information]
[Encl.]

Appendix F - Technical Information Requirements

Heading	Requirements	Comments
Cover Page / Summary Page	Model Year	Identify the model year.
	Vehicle Make and Model	List the Vehicle Makes and Models covered by the submission
	Durability Group Name	Alpha numeric code to identify the Durability Group for the vehicle. Code should be derived in the same manner as for vehicles in the U.S. (EPA guidance letters: VPCD99-06)
	Test Group Name	Alpha numeric code to ID the Test Group Name for the application/submission being submitted Test Group Codes should be following EPA's guidance letters: CD-94-03 for 1995 to 2009 MY CISD-07-03 for 2009 to 2027 MY
	Evaporative Family Name	Alpha numeric code to identify the Evaporative / Refueling Family for the submission being submitted Evap Family Codes should be following EPA's guidance letters: CD-94-03 for 1995 to 2009 MY CISD-07-03 for 2009 to 2027 MY
	Brief Description of the Durability Group	Engine cycle (e.g. Otto 4 stroke, etc.), fuel type, fuel delivery system type, catalyst code (if applicable).
	Brief Description of the Test Group	Engine displacement, fuel delivery system, A/C, catalyst type, oxygen sensor configuration, evaporative system, vehicle class. (e.g., 2.0L SFI/AIR/TWC/HO2S(3)/ORVR - LDV)
	Applicable Standards	Identify exhaust and evaporative emission standards applicable to the vehicle e.g. Tier 2 Bin 5
	Applicable Useful Life	Identify the applicable useful life to the vehicle
	Vehicles Tested (EDVs)	List each vehicle identity and configuration number tested and the corresponding test type(s) for each combination.

Heading	Requirements	Comments
	Company name	Company that submitted the evidence of conformity.
	Special Instructions	Identify whether any special instructions.
Laboratory Accreditation	Accreditations of the laboratory where the testing was performed. The laboratory where the tests are carried out would have to be capable of certifying to Canadian or U.S. standards	This is normally demonstrated by the lab having previously completed testing to support the issuance of a U.S. EPA certificate. A list of labs that may be used to conduct testing may be found at: http://www.epa.gov/otaq/consumer/lablist.pdf
Section 1 - Correspondence and Communications <i>(optional)</i>	Names, phone numbers, fax numbers, e-mail addresses of all persons authorized to be in contact with staff from the Transportation Division of Environment Canada	Identify person(s) both within and outside the company that Environment Canada may contact with regard to the submission. Please identify areas of responsibility for each person listed, if applicable. If the list of contacts is included in this section, the cover letter must refer to the list of authorized contacts in this document.
Section 2 - Durability Group Description <i>(You may reference a complete breakdown of your durability groups in a common section)</i>	Durability Group Name	Alpha numeric code to identify the Durability Group for the vehicle being submitted (e.g. 7ABCGPGNNXYZ). Code should be derived in the same manner as for vehicles in the U.S. (EPA guidance letters: VPCD99-06)
	Combustion Cycle	e.g. Otto Cycle - 4 stroke
	Engine Type	e.g. Piston, Rotary, etc.
	Fuel Used	e.g. Gasoline, Diesel, etc.
	Basic Fuel Metering System	e.g. Multi Port Fuel Injection, etc.
	Catalyst Construction	e.g. Monolith
	Precious Metals in Catalyst	e.g. Pd, Rh, etc.
	Source of Durability Data (Durability Data Vehicle(s) - DDV)	List the vehicle identity and configuration number used to obtain durability data for each durability group submitted.
	Test Groups included in the Durability Group	List each test group that falls under each submitted Durability group.
	Range of Catalyst Grouping Statistics	Provide if available.
Section 3 - Evaporative/Refueling Family Description	Evaporative/Refueling Family Name	Alpha numeric code to identify the Evaporative / Refueling Family for the vehicle being submitted (e.g. 7AB1100AYP2A).

Heading	Requirements	Comments
	Evaporative/Refueling Family Parameters	As specified in 40 US CFR §86.1821 Evap Family Codes should be following EPA's guidance letters: CD-94-03 for 1995 to 2009 MY CISD-07-03 for 2009 to 2027 MY
Section 4 - Durability Procedure Description	Separate information for exhaust and evaporative/refueling deterioration	Separate information is to be given for both exhaust and evaporative/refueling deterioration as specified in 40 US CFR §86.1823-01 and 40 US CFR §86.1824-01.
	A description of the durability procedure used.	As specified in 40 US CFR §86.1823-01 and 40 US CFR §86.1824-01. If using an U.S. EPA approved durability procedure, describe any modifications from the procedure originally approved by EPA.
	The amount of aging required and actually performed.	As specified in 40 US CFR §86.1823-01 and 40 US CFR §86.1824-01 (e.g. For 100K Mileage: 300 hours on RPD1 aging cycle required, 350 hours performed, For 50K mileage: 200 hours on RDP1 Aging cycle required, 350 hours performed, etc.).
	Indicate whether additive or multiplicative deterioration factors (DF's) are used or if aged components were used to determine certification levels.	All deterioration factors must be identified as either Additive or Multiplicative. If listed in Section 7 - Test Results, those locations may be referenced in lieu of characterizing each deterioration factor in Section 4. If any laboratory or bench component aging was used, those components must be identified and the procedures reported in detail.
	List all DF's calculated at both full and intermediate useful life mileages	If listed in <i>Section 7 - Test Results</i> , those locations may be referenced in lieu of tabulating deterioration factors in Section 4.
Section 5 - Test Group Description	Test Group Name	As specified in 40 US CFR §86.1827 Alpha numeric code to identify the Test Group Name for the submission (e.g. 7ABCV02.0XYZ). Test Group Codes should be following EPA's guidance letters: CD-94-03 for 1995 to 2009 MY CISD-07-03 for 2009 to 2027 MY
	Engine displacements covered	List all that apply.
	Arrangement and number of cylinders	e.g. V6, L4, etc.
	Vehicle class(es) covered.	e.g. LDV, LDT2, LDV & LDT1.
	Emission standards class	e.g. Tier 2, etc.

Heading	Requirements	Comments
	Applicable emission standards.	e.g. Bin1, Bin2, etc.
Section 6 - Test Group Description	Provide information on all test vehicles which are included in this application.	Provide a tabular list of vehicle identification numbers & configuration numbers tested and which tests were performed on each combination (i.e. EVAP/refueling, cold CO, SFTP, and FTP, etc.). Provide all US EPA CFEIS or VERIFY vehicle information (VI) printouts that apply, if available.
	Test vehicle number and configuration number for all test vehicles (EDVs).	Provide all vehicle ID's & configuration numbers for all test vehicles (EDVs).
	Basic vehicle description (for each Vehicle ID and Configuration Number combination).	This should include the Make, Model, Model Year, Drive System (e.g. RWD), Test Group, Evaporative Family, Fuel System (e.g. MPFI) and vehicle layout (e.g. 2-door coupé, 4-door sedan, etc.).
	Engine displacement.	Provide in cubic centimetres or litres.
	Emission control system.	List all exhaust emission related components (e.g. air injection pump, detonation sensor, three-way catalyst, oxygen sensor, etc.). Indicate catalyst preheating method, if applicable. List canister type, canister bed volume (in cubic centimetres), canister working capacity, number of canisters, alternate canister loading rate (if applicable).
	Engine code.	List for each vehicle identity and configuration combination.
	Transmission.	List for each vehicle identity and configuration combination and transmission type. (e.g. A4: Automatic 4 speed. Transmission Code = ABC123).
	Equivalent Test Weight (ETW)	Provide in pounds or kilograms.
	Axle Ratio.	e.g. 3.5:1
	US EPA certificate.	Provide a copy If available.

Heading	Requirements	Comments
	Complete vehicle description (<i>for each Vehicle ID and Configuration Number combination</i>).	In addition to the above items, this should include engine type (e.g. Otto 4 stroke), turbo/supercharger (indicate which is installed), crankcase system, number of cylinders, valves per cylinder, main fuel tank capacity, auxiliary fuel tank capacity (if applicable), rated horsepower, compression ratio, engine speed to vehicle speed ratio (N/V Ratio), ignition timing details, idling rpm, indicate if equipped with air conditioning, curb weight, gross full tank axle weight, gross empty tank axle weight, odometer correction details, tire brand & construction, tire size, tire inflation pressure and any other vehicle information that may be required to duplicate the tests performed, including coast down times, fan placement, target and set force coefficients, etc.
Section 7 - Test Results	Official test results (listing all applicable constituents) on all test vehicles which are applicable to this submission.	A comprehensive list of all test results and the applicable intermediate and full useful life emission standards to which the test group is deemed to comply with as specified in 40 US CFR §86.1829-01. At least one separate sheet of results should be provided for each test performed (e.g. NO _x -HWY, Cold CO, SFTP [CO, HC-NM+NO _x -COM, NMOG, NO _x], CO-USO ₆ , CO-SCO ₃ , ORVR, etc.). USEPA CFEIS or VERIFY printouts are acceptable, if all required information is included and if available. Must include the ID number of each EDV and the test fuel used for each test performed.
	Calculation and list of the emission levels for each constituent	For each emission constituent tested and for each odometer level which requires reporting, the <i>company</i> must show the measured test result, the deterioration factor used, indicate if it is Multiplicative or Additive, list the calculated emission level and also list the emission standard value it is being measured against, including the applicable Tier and Bin numbers.
Section 8 - Emission Testing Waiver Statement <i>(In lieu of testing compliance of the</i>	Otto-cycle, gasoline or methanol fuelled particulate matter.	See 40 US CFR §86.1829-01(b).
	Formaldehyde emissions.	See 40 US CFR §86.1829-01(b).

Heading	Requirements	Comments
<i>following parameters, a company may include statements addressing the listed items.)</i>	Certification Short Test (CST).	See 40 US CFR §86.1829-01(b).
	Idle CO for LDT's.	See 40 US CFR §86.1829-01(b).
	OBD Compliance statement.	See 40 US CFR §86.1810-01. The <i>company</i> must state whether the OBD system complies with the On Road Vehicle and Engine Emission Regulations. If available, a US EPA or CARB letter indicating OBD system approval without deficiencies could be included.
	91 RON fuel testing - no effect on emissions or fuel economy.	The <i>company</i> must indicate whether testing with 91 research octane number (RON) test fuel will have an effect on the vehicle's emissions certification levels or fuel economy values.
	Fuel spitback (required when no testing performed).	See 40 US CFR §86.1810-01.
	Refueling standards for inherently low emitting vehicles.	See 40 US CFR §86.098-28.
	Evaporative/Refueling testing of natural gas or LPG vehicles.	See 40 US CFR §86.1829-01(b).
	Fixed liquid level gauge waiver for testing refueling emissions (LPG vehicles).	See 40 US CFR §86.1810-01.
Section 9 - OBD System Description	A description of the functional operation characteristics of the onboard diagnostic system. (relation between sensed parameters and controlled parameters)	See 40 US CFR §86.1806-01.
	The general method of detecting malfunctions for each emission-related component.	See 40 US CFR §86.1806-01.
Section 10 - Description of Alternate Fuel Vehicles	Description of all flexible or dedicated alternate fuel vehicles.	This includes, but is not limited to, the fuel and/or percentage of alternate fuel for all such vehicles if applicable.

Heading	Requirements	Comments	
Section 11 - AECD Descriptions	A list of all auxiliary emission control devices (AECD) installed on any applicable vehicles including the sensed and controlled parameters.	The detailed description of the AECD should include parameters sensed and controlled, and the expected effect the AECD has on emissions (both on- and off-cycle). All AECDs that reduce the effectiveness of the emission control system and therefore require a justification include “lean-oncruise” and “air-conditioner-on” strategies. This information should be supplied in a form that can be easily understood by an engineer skilled in automotive emissions control (e.g. not in computer language). Preferred format is a table listing AECDs (down) and sensed and controlled parameters (across).	
	A detailed justification of each AECD which results in a reduction in effectiveness of the emission control system, and rationale why the AECD is not a defeat device as defined under section 11(3) of the Regulations.	AECD descriptions and justifications of why they are not defeat devices can be included in a common sections submission. Additionally, manufacturers could include a defeat device statement in their evidence of conformity submission, if possible, similar to the statement required in 40 CFR 86.094-14(c) (11) (ii) (D) (3).	
Section 12 - Description of Vehicles Covered by Submission and Test Parameters	Carline		
	Model Name		
	Vehicle classification	e.g. LDV, LTD1, etc.	
	Emission control system description		
	-Type, number and configuration of catalyst(s)		
	-Exh. Gas Recirc. (EGR) type		
	-Air pump type		
	-Fuel system type		
	-Intake air aspiration method		
	-Other		
	Engine Code		
	Number of valves per cylinder		
	Engine displacement		
Sales area			
Transmission and overdrive			
Tire size			

Heading	Requirements	Comments
	N/V Ratios (range of values are acceptable)	
	Equivalent Test Weight (ETW) (range of values are acceptable)	
	Fuel tank volume (range of values are acceptable)	
	Engine Starting Procedures	
	Shift schedules (list EPA shift schedule number and shift speeds)	
	Dyno loading Information	Either: (1) Twin roll Dyno DPA (Dyno Power Absorption) and coastdown times, or (2) single roll dyno roadload force coefficients, as appropriate; indexed by the vehicle characteristics (models, ETW, tires) covered. Roll diameter will also be required.
	Evaporative testing parameters	i.e. canister loading, running loss fuel tank temperature, etc.
Section 13 - Projected Sales	Projected Canadian sales for each "Canada-unique" test group and evaporative/refueling family combination.	Please note that the company will still be required to comply with the NOx fleet average requirements and to file an end of model year report no later than May 1 after the end of the model year.
Section 14 - Request for Certification	Contains a copy of the written request to acknowledge that the evidence of conformity has been obtained and produced in a form and manner satisfactory to the Minister signed by an authorized representative of the <i>company</i> .	Include copy of your cover letter. The request must include the statement of compliance
Section 15 - Other Information	Any additional information	
Section 16 - Confidential Information	Contains all previously listed confidential information.	All confidential information contained in this Section must be referenced by title in the appropriate Section with a note to see Section 16.
Section 17 - California ARB Information	Contains the summary sheet listing all vehicle and test parameters.	Provide if available. Also provide all documents from EPA or ARB that have been used in support of the submission.

Heading	Requirements	Comments
Section 18 - Vehicle Emission Control Information (VECI) Label	VECI label	See section 4.3

Appendix G - VECI

Based on subparagraph 35(1)(d)(i) of the Regulations, section 1807 of the CFR and the EPA guidance letter C1SD-06-19 and C1SD-07-03, the VECI label should incorporate the following information:

Company's Trustmark	Company Name Vehicle Emission Control Information
Model Name	
TEST GROUP	ΩΩΩΩα####ΩΩΩ
EVAP./REFUELLING FAMILY	ΩΩΩΩα####ΩΩΩ
EXH. EMISSION CONTROL SYSTEM	(Manufacturer Designation)
OBD (<i>generation</i>)	
DISPL. (<i>engine displacement and units</i>)	
THIS VEHICLE CONFORMS TO THE ON-ROAD VEHICLE AND ENGINE EMISSION REGULATIONS APPLICABLE TO 20## MODEL YEAR TIER 2 BIN (#) (<i>state vehicle class as per section 6 (1) of the Regulations</i>).	

Where

- α : Are alpha fields
- # : Are numeric fields
- Ω : Are Alphanumeric fields

Test Group:

Position 1: Model Year Codes

8- 2008	D- 2013	J - 2018	P- 2023
9- 2009	E- 2014	K- 2019	R- 2024
A- 2010	F- 2015	L- 2020	S- 2025
B- 2011	G- 2016	M- 2021	T- 2026
C- 2012	H- 2017	N- 2022	V- 2027

Positions 2-4: Code Assigned by EPA for Each Manufacturer

Insert the 3-character alphanumeric EPA manufacturer code assigned to your company

Position 5: Industry Sector Codes (Formerly called "Family Type Code")

- J - Light-Duty Vehicles and Light-Duty Trucks/Medium-Duty Passenger Vehicles
- T - Light-Duty Trucks / Medium-Duty Passenger Vehicles
- V - Light-Duty Vehicles

Positions 6-9: Engine Displacement

Insert the applicable engine displacement for each engine family/test group. Engine displacement units may be in liters (XX.X or .XXX). For dual or variable displacement families, enter the maximum displacement. If the displacement is given in liters, the decimal point counts as a digit.

- Engine displacement should be provided in Liters for the following industry sectors:

- J - Light-Duty Vehicles and Trucks/Medium-Duty Passenger Vehicles
- T - Light-Duty Trucks / Medium-Duty Passenger Vehicles
- V - Light-Duty Vehicles

Positions 10-12: Sequence Characters

Enter any combination of valid characters in positions 10 through 12 in order to provide a unique identification for an engine family name. At a minimum, the sequence characters, in combination with the other characters in the engine family name, must provide a unique identifier for each engine family name for a manufacturer for each model year. Further, it is recommended that numbers and letters be selected that minimize possible confusion. The sequence characters themselves could be used to represent other information such as the applicable EPA or California emission standards, however Environment Canada will treat these as simple sequence characters with no additional meaning.

EVAP./REFUELLING FAMILY:

Position 1: Model Year Codes

8- 2008	D- 2013	J - 2018	P- 2023
9- 2009	E- 2014	K- 2019	R- 2024
A- 2010	F- 2015	L- 2020	S- 2025
B- 2011	G- 2016	M- 2021	T- 2026
C- 2012	H- 2017	N- 2022	V- 2027

Positions 2-4: Code Assigned by EPA for Each Manufacturer

Insert the 3-character alphanumeric EPA manufacturer code assigned to your company.

Positions 5: Industry Sector Codes (Formerly called “Family Type Code”)

R - Light-Duty Evaporative / Refueling Family

Positions 6-9: Canister work capacity

Identify the total capacity in grams of all canisters

Positions 10-12: Sequence Characters

Enter any combination of valid characters in order to provide a unique identification for the evaporative/refueling name. At a minimum, the sequence characters, in combination with the other characters in the evaporative family name, must provide a unique identifier

for each evaporative family name for a manufacturer for each model year. Further, it is recommended that numbers and letters be selected that minimize possible confusion. Environment Canada will treat these as simple sequence characters with no additional meaning.

Appendix H - NEM Guidance Document

Guidance on the Use of the National Emissions Mark under the On-Road Vehicle and Engine Emission Regulations (Canadian Environmental Protection Act, 1999)

NOTE

This version of the NEM Guidance Document has been sanitized to keep only the information relevant to light-duty vehicles, light-duty trucks and medium-duty passenger vehicles. The complete version can be obtained upon request.

DISCLAIMER

This document is intended to provide guidance only. It does not in anyway supersede or modify the *Canadian Environmental Protection Act, 1999* or the *On-Road Vehicle and Engine Emission Regulations*. In the event of an inconsistency between this document and Act and/or the Regulations, the Act and the Regulations prevail. You should, therefore, refer to the Act and Regulations to determine your company's obligations and responsibilities. These texts are available on Environment Canada's CEPA Environmental Registry at: <http://www.ec.gc.ca/CEPARegistry>

QUESTIONS AND ANSWERS

1. What is the national emissions mark?

The national emissions mark is the symbol shown in Schedule 2 of the *On-Road Vehicle and Engine Emission Regulations* and is reproduced below. Under the framework of Part 7, Division 5 of the *Canadian Environmental Protection Act, 1999*, a company that affixes the national emissions mark to a vehicle or engine effectively certifies conformance with certain requirements of the Regulations.

Section 150 of the Act specifies that the national emissions mark is a national trademark and establishes limitations on any person's use of the mark (or the use of any other mark in such a manner that it is likely to be mistaken for a national emissions mark). Companies must obtain the Minister of the Environment's authorization to use the national emissions mark.



National Emissions Mark

2. To which vehicles and engines are companies required to apply the national emissions mark?

Companies are generally required to apply the national emissions mark to on-road vehicles and heavy-duty engines that are manufactured in Canada.

Section 152 of the *Canadian Environmental Protection Act, 1999*, prohibits a company from transporting prescribed vehicles or engines between provinces or territories unless the vehicle or engine has a national emissions mark applied to it. For the purposes of applying section 152 of the Act, a “company” is defined in section 149 of the Act and the scope of vehicles and engines requiring a national emissions mark is set out in subsection 6(4) of the Regulations.

3. Are there any conditions regarding applying a national emissions mark to a vehicle or engine?

Yes. Section 153 of the *Canadian Environmental Protection Act, 1999* prohibits a company from applying the national emissions mark to any vehicle or engine unless a number of requirements are met, which are to be prescribed by regulations (e.g., the standards that the vehicle or engine must meet, the evidence of conformity that a company must produce, etc.) The *On-Road Vehicle and Engine Emission Regulations* prescribe the various requirements that must be met before a company can apply a national emissions mark to an on-road vehicle or engine.

4. If imported vehicles and engines are not required to have a national emissions mark, does that mean they are not subject to the requirements of the Regulations?

No. Section 153 of the *Canadian Environmental Protection Act, 1999* prohibits a company from importing a vehicle or engine unless a number of requirements are met, which are to be prescribed by regulations (e.g., the standards that the vehicle or engine must meet, the evidence of conformity that a company must produce, etc.). The *On-Road Vehicle and Engine Emission Regulations* prescribe the various requirements that must be met for a company to import an on-road vehicle or engine into Canada.

5. How does a company obtain the Minister's authorization to use the national emissions mark?

A company must submit an application to obtain the Minister's authorization to use the national emissions mark. The information that a company must include in its application is set out in section 7 of the Regulations. A company's application must be signed by a person who is authorized to act on behalf of the company and should be sent to:

Director
Transportation Division
Energy and Transportation Directorate
Environment Canada
351 St-Joseph Blvd
Gatineau, Quebec K1A 0H3
fax: 819-953-7815

If the Minister authorizes the company to use the national emissions mark, the Minister will assign a unique identification number to the company.

6. Section 7 of the Regulations specifies that a company's application to use the national emissions mark must include information to show that the company is capable of verifying compliance with the standards set out in the Regulations. What type of information could satisfy this requirement?

Information to show that a company is capable of verifying compliance with the regulatory standards may be presented in alternative forms, including:

1) Recent experience in complying with Canadian regulatory emission standards

Where applicable, a company may provide the following statement:

"The company has applied the national safety mark to on-road vehicles within the last five years to certify conformance to Canadian vehicle emission regulatory standards".

Some aspects of the Regulations are designed to align with administrative requirements under the *Motor Vehicle Safety Act*. Accordingly, companies are requested to provide their authorization number assigned by the Minister of Transport to use the national safety mark.

2) Recent experience in obtaining U.S. EPA emission certification

When applicable, a company may provide the following statement:

"The company has been issued certificates of conformity by the US. EPA within the last five years as evidence of conformity with U.S. regulatory emission standards for on-road vehicles or engines."

3) Technical Information

In cases where items 1) or 2) do not apply, the company may provide technical information to show that it is capable of verifying compliance with the standards set out in the Regulations including, but not limited to, information describing the capabilities of the emission test facilities operated by, or used by, the company to produce evidence that its vehicles or engines conform to the standards set out in the Regulations.

7. Are there any requirements regarding the size, location and manner of affixing the national emissions mark to a vehicle or engine?

Yes. Requirements regarding the size, location and manner of affixing the national emissions mark to vehicles or engines are addressed in section 8 of the Regulations.

8. Is a company always required to display its identification number along with the national emissions mark?

As a general rule, the Regulations require companies to display the identification number assigned to them by the Minister either immediately below or to the right of the national emissions mark. However, a company is not required to display its identification number if the company affixes both the national emissions mark and the national safety mark (i.e., in accordance with the *Motor Vehicle Safety Act*) on the same label. These issues are addressed in subsections 8(5) and 8(6) of the Regulations.