

Guidance for Updating Engineering Reviews and Other Facility Registration Information



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Compliance Division
Office of Transportation and Air Quality
U.S. Environmental Protection Agency

GUIDANCE FOR UPDATING ENGINEERING REVIEWS AND OTHER FACILITY REGISTRATION INFORMATION

Who must submit updated Registration Information and an updated Engineering Review by January 31, 2014?

For all producers of renewable fuel and foreign ethanol producers registered in calendar year 2011, the updated registration information and independent third-party engineering review shall be submitted to EPA by January 31, 2014.

What are the Requirements for the 2014 Updated Registration Information and Engineering Review?

[40 CFR 80.1450\(d\)\(3\)](#) requires all producers of renewable fuel and foreign ethanol producers to update registration information and submit an updated independent third-party engineering review. All information previously submitted in support of registration should be reviewed and brought up to date, using the process described below. An updated third party engineering report with supporting documentation must be electronically signed and submitted by a qualified independent third party engineer; an addendum is not sufficient. EPA recommends that the engineer uses the Engineering Review Template when writing the engineering review. The PE should upload the signed and stamped page with the engineering review.

In addition to conducting the engineering review and providing the written report and verification required by 80.1450(b)(2), the updated independent third-party engineering review must, pursuant to 80.1450(d)(3)(iii), include a detailed review of the renewable fuel producer's calculations used to determine the volume of RINs (V_{RIN}) for a representative sample of batches of each type of renewable fuel produced since the 2011 registration. 80.1450(d)(3)(iii) refers to V_{RIN} calculations as required by 80.1426(f). Representative samples must be selected in accordance with 40 CFR 80.127.

EPA intends to initiate a process to deactivate the RFS2 Part 80 registration of any 2011 cohort RFS2 producer facility that has not submitted an updated registration and engineering review by January 31, 2014.

How does the renewable fuel producer review and update their registration information in EPA's Central Data Exchange (CDX)?

1. As a user associated with your company in CDX OTAQReg with the Company Editor role, log-in to [CDX](#), click "Fuels Programs Registration" to access OTAQReg, click your company's name under "Company Information", and select the "Edit" button in the upper right portion of the webpage.
2. At this point you can make any necessary edits to your Company Details. Be sure to then select the "Facility Details" tab and click the name of any listed facilities to review your facility registration information.
3. After making any necessary edits to your facility information, click the "Save Facility" button. Once all facilities that require an engineering review update have been reviewed in CDX OTAQReg, click the "Review" button. This will

generate a view of your existing registration, select “continue” at the bottom of the screen.

4. You can then click the “Sign Electronically” or “Print, Sign, and Mail button” to generate your request. Be sure to then save a copy of your request, have the RCO sign this document, and send all pages to EPA to the appropriate address listed at the bottom of this document.
 - Note, if your RCO is registered for RCO e-signature capability, your request will be listed with the status “Awaiting RCO Electronic Signature” under “Pending Requests” on your CDX OTAQReg. In this case, the RCO should log-in to CDX OTAQReg to electronically submit the request to EPA.

What documents must the renewable fuel producers supply to the third-party professional engineer?

1. Records that support the facility's baseline volume, permitted capacity, and/or actual peak capacity as listed in CDX OTAQReg (most recent applicable air permits and/or copies of documents demonstrating each facility's actual peak capacity)
 - For permitted capacity, a current permit that lists the registered/requested capacity volume
 - For actual peak capacity, current production records
2. Current process heat fuel supply plan pursuant to 80.1450(b)(1)(iv) (including name and address of supplier(s))
3. Revised version of any applicable separation plan submitted pursuant to 80.1426(f)(5)
 - yard waste
 - municipal solid waste
 - separated food waste
 - Must be submitted by any company that has selected any of the following as a feedstock for an approved pathway (80.1426 Table 1) in CDX:
 - non-cellulosic portions of separated food waste,
 - cellulosic components of separated food waste,
 - biogenic waste oils/fats/greases
 - In order to expedite the review we suggest that companies submit details of the feedstock(s) they are using if a separated food waste plan is not applicable. Companies should supply enough information to demonstrate that the feedstock qualifies as renewable biomass.

What must the third-party independent professional engineer submit to EPA and how does the engineer submit this information?

1. The third-party independent professional engineer who completes the engineering review and on-site facility visit must first associate with the renewable fuel producer in CDX OTAQReg with the “Independent Third-Party Engineer” role.

2. This role will allow the professional engineer to review the company's registration information and also electronically submit the engineering review and all required supporting documentation
3. See the [New User with an EPA Registered Company](#) guide for assistance with associating with a company in CDX OTAQReg
 - When first creating a CDX account and adding the OTAQReg program service, be sure to register under your third-party organization
 - After this initial CDX registration, you will be able to enter the OTAQReg program service and initiate a Company Association Request for the registered renewable fuel producer you are reviewing.
4. In order to review a company's CDX OTAQReg registration information after associating with the company, the professional engineer will need to log-in to CDX, click on "Fuels Programs Registration", click on the company's name under "Company Information", click the "View Request" button (if visible), click the "Facility Details" tab, and click the name of the appropriate facility.
5. The third-party independent professional engineer must electronically submit a complete engineering review with all required information and all required supporting documentation as described in 80.1450(b)(2). EPA recommends that the engineer use the Engineering Review Template when writing the engineering review.
 - The professional engineer will need to log-in to CDX and click the "Add Program Service" button to add the OTAQDCFUEL program service if they do not already have this Program Service listed in CDX.
 - Once the professional engineer has the OTAQDCFUEL program service, they will be able to click the "OTAQ DC Fuel Application" link on their MyCDX home page. They will be prompted to confirm the company's RCO information and identify as a professional engineer submitting an engineering review.
 - The professional engineer will then need to click the "Original" radio button and attach the engineering review along with the supporting documentation and click the "Encrypt and Sign" button.
 - If the engineering review and supporting documentation consist of multiple files, please zip these files into a single zip file using an appropriate program (e.g., Winzip).
 - Note: If, after the initial submission of the engineering review and supporting documentation, the professional engineer needs to submit additional and/or amended materials, the professional engineer should select the "Resubmission" radio button and provide a comment in OTAQDCFUEL indicating the date of the original submission and the reason for resubmission.
 - The professional engineer must then select the "Third Party Engineering Review" checkbox, click the accept button, and follow the e-signature instructions to submit the engineering review to EPA.
6. In order to ensure that the information is properly updated we suggest that the third party engineer conduct the on-site visit no more than 120 days prior to

January 31, 2013. If an on-site visit was completed outside this timeframe, contact EPA's Fuels Program Support by email at support@epamts-support.com.

What Other Information is Helpful to Know?

- Copying and pasting entire sections/paragraphs of the regulations into the engineering review is unnecessary.
- The engineering review requires detailed explanations for several items; generally yes/no answers are not sufficient and could lead to delays in EPA's review process.
- Submit all required supporting documentation (permits, plans, process). Simply stating that a document was reviewed (ie: Engineer reviewed air permit) is not sufficient.
- The third-party independent professional engineer who conducts the on-site review and writes the engineering review must also sign and submit the engineering review electronically in CDX OTAQDCFUEL. Engineering review updates submitted by other individuals, or submitted by mail, will not be accepted.

Where Can I Get More Information?

EPA's Engineering Review Template:

<http://www.epa.gov/otaq/fuels/renewablefuels/documents/420b13044.docx>

Complete engineering review guidance:

<http://www.epa.gov/otaq/fuels/renewablefuels/compliancehelp/420b10024.pdf>
[Registration requirements under § 80.1450](#)

Contact Fuels Program Support: support@epamts-support.com

How do I send my CDX OTAQReg-generated Company Update Request to EPA?

The RCO-signed Company Update Request may be sent to one of the following addresses:

US Mail:

U.S. Environmental Protection Agency
 Fuels Programs Registration (6406J)
 1200 Pennsylvania Avenue, NW
 Washington, DC 20460

Commercial Delivery:

U.S. Environmental Protection Agency
 Fuels Programs Registration
 Room 647C; 202-343-9038
 1310 L Street, NW
 Washington, DC 20005

Regulated parties may use these guidelines to aid in achieving compliance with the RFS2 program regulations. However, these guidelines do not in any way alter the requirements of those regulations. While the guidance provided in these guidelines reflect the Agency's general plans for implementation of the regulations at this time, some of the guidance may change as additional information becomes available, or as the Agency further considers certain issues. These compliance guidelines do not establish or change legal rights or obligations. They do not establish binding rules or requirements and are not fully determinative of the issues addressed. Agency decisions in any particular case will be made applying the law and regulations on the basis of specific facts and actual action.