

EPA ACE Pilots: Looking for Volunteers

PGA Message Set Webinar
March 20, 2013



Topics

- EPA-regulated commodities
- eFiling, automated processing
- Pilot programs
- Trade Participation, Getting Started
- Sample Message Sets
- Summary
- Questions?



EPA-regulated Commodities

Under environmental statutes administered by EPA, **six programs** have import safety responsibility.

- Statutory requirements built on risk to human health and the environment.
- Admissibility of EPA-regulated commodities are based on compliance statutory requirements (*reporting*)

Ozone Depleting Substances (CAA)



Vehicles and Engines (CAA)



Fuels (CAA)



Toxic Substances (TSCA)



Pesticides (FIFRA)



Hazardous Waste (RCRA)



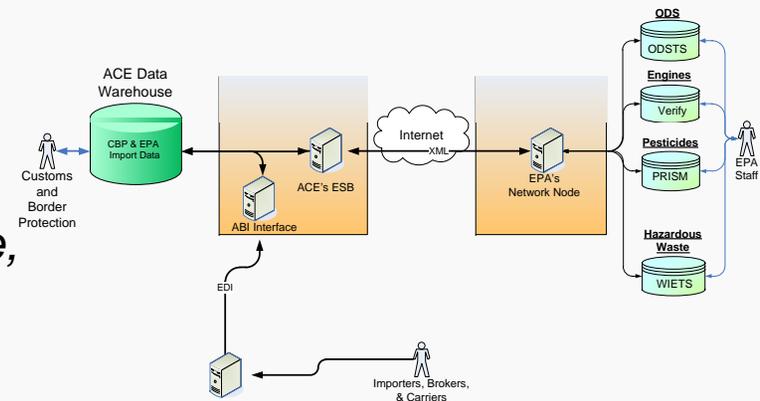


eFiling, Automated Processing

Goal:

Streamline, improve reporting/processing legal imports/exports

- **Paper to electronic reporting**
(Entry, Entry Summary Certified for release, Simplified Entry) –PGA Message Set, ABI
- **Validations** to automate reviews for many EPA-regulated commodities
- **Electronic status messaging**
– IWS, ABI messages



Early indication of cargo clearance *BEFORE* it is loaded on a plane, truck, train, or ocean vessel.



Trade Participation

Volunteers for Pilots

- Ozone Depleting Substances (simple)
- Vehicles and Engines
- **Why participate?**
 - Early filing, messaging, no courier fees
 - Repeatable automated workflow
 - Used for other EPA programs to clear legitimate cargo quicker (from days, weeks to seconds, minutes)
 - Eliminate duplicate reporting to EPA, CBP
- **When?**
 - Late summer (look for FRN)
- **Get started sooner**
 - PGA Message set samples, get going with software developers⁵



Filing

Current:

Ozone Depleting Substances: ABI filings, no automated checks, no messaging
Vehicles and Engines: Paper forms 3520-1 and 3520-21

Future:

Ozone Depleting Substances: ABI filings, PGA Message Set, automated checks, messaging
Vehicles and Engines: ABI filings of data from EPA form 3520-1 or 3520-21 using PGA Message Set, automated checks, messaging

EPA Form 3520-1

EPA United States Environmental Protection Agency Declaration Form
Importation of Motor Vehicles and Motor Vehicle Engines Subject to Federal Air Pollution Regulations
 U.S. E.P.A., Compliance & Innovative Strategies Division, 2000 Traverswood Drive, Ann Arbor, MI 48106 <http://www.epa.gov/3520> Phone (734) 214-4100; Fax (734) 214-4878

This form must be submitted to the U.S. Customs and Border Protection (Customs) (42 USC 7522, 7601; 19 CFR 12.73) for each motor vehicle (including motorcycles, disassembled vehicles, kit cars, light-duty vehicled/motorcycle engines) imported into the U.S., except that this form is not required for motor vehicles that are imported by their original manufacturer and are new and are covered by an EPA certificate of conformity and bear an EPA emission control label. One form per shipment may be used, with attachments including all information required to fully describe each vehicle or engine as below. Check the box below indicating the provisions under which you are importing this vehicle or engine. Off-road vehicles/engines and heavy-duty engines must use form 3520-21. Note: Although only imports using codes G, L, K, M-3, and O require specific written authorization from EPA, Customs may request EPA review of importer documentation and eligibility for any import using this form. A nonconforming vehicle that is ineligible for the exemptions or exclusions listed below, must be imported through an independent commercial importer (ICI) under codes A, C, J, or Z. For codes A, C, J, and Z, EPA does not authorize the release to the vehicle owner.

Penalties: Any person who knowingly makes any false or fraudulent statement, or omits or conceals a material fact can be fined up to \$250,000 or imprisoned for up to 5 years, or both (18 USC 1001). Any person who improperly imports a motor vehicle (including a motorcycle) or engine may be fined up to \$32,000 per vehicle or engine (42 USC 7524), and may be subject to forfeiture of the entire importation bond, if applicable (42 CFR 85.1013), and the U.S. Customs Service may seize the vehicle or engine (19 CFR 162.21).

Description and Declaration of Motor Vehicle or Motor Vehicle Engine (Note: Heavy-duty Engines must use form 3520-21)			
1. Port code:	2. Entry date: (mm/yyyy)	3. Customs entry number:	4. Vehicle Identification Number (VIN), or engine serial number:
5. Manufacture date (mm/yyyy)	6. Manufacturer (make):	7. Model:	
8. ICI imports only, codes A, C, J, Z - EPA certificate no., model year and expiration date of applicable certificate:			
Names, Addresses, and Telephone Numbers of Relevant Parties			
Certification: I certify that I have read and understand the purpose of this form, the penalties for falsifying information, or for providing misleading information, or for concealing a material fact. The information I have provided is correct, and all required attachments are appended to this form. I authorize EPA Enforcement Officers to conduct inspections or testing permitted by the Clean Air Act. I am the owner, importer, or agent for the owner or importer.			
9. Importer (code B) must be certificate holder or their agent for shipments of new vehicles prior to introduction into commerce; codes A, C, J, Z: must be ICI):	10. Owner:	11. Storage location:	12. Signature:
			13. Date:
14. Name, company and phone (type or print):			

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Scope of Pilots

- ***Automated validation checks.*** EPA sends reference data to ACE to automatically check filings
 - ODS –Approved Importers
 - Importer of Record number
 - Quantity
 - Vehicles and Engines –Approved vehicles, engines
 - Test Group Name/Engine Family Name or Exemption number
 - EPA Certification Number,
 - Certificate Expiration Date and Model Year.
- ***Messaging to EPA and Trade.*** Notifications are sent to EPA and Trade for validation results
- ***Trade participation:***
 - Create Message sets
 - eFile to ACE
 - Receive, respond to notifications if needed



Getting Started

- ***Are you an ACE Filer?*** Talk to your CBP Client Rep
- ***Are you filing ODS and V&E commodities?*** See attached HTS Code Lists for EPA Pilots.
- ***Confirm participation.*** Respond to Federal Register Notice. Let Susan, me know about your interest.
- ***Work with EPA and your software developers.*** Begin Identifying PGA Message Set adjustments to your software. (EPA will work with you on examples).



ODS Sample

A shipment of an ODS substance, Trichlorofluoromethane, more commonly known as Freon, is imported into the United States to be processed into feedstock.

ODS.Sample.-Import.ODS.for.processing.into.feedstock

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OI . . . . . TRICHLOROFLUOROMETHANE . . . . .
PG01001EP .1 . . . . . 150.840-012 . . . . .
PG02 .CAS .75-69-4 . . . . .
PG19IM . . . . .
PG21CI .JANE .SMITH . . . . . 6172345678 . . . . . J.SMITH@CHEMICALIMPORT.COM . . . . .
PG22 . . . . . CI .EP4 .Y01272011 . . . . .
PG29KG .000002000000 . . . . .
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Vehicles Sample

- A shipment of Toyota Sedans is imported into the United States. For these sedans, import code is "A". Trade is required to provide Test Group Name/Engine Family Name, EPA Certification Number, Certificate Expiration Date and Model Year.



V&E Sample

Vehicles and Engines Sample 1 - Import Vehicles into the United States

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OI . . . . . TOYOTA SEDANS . . . . .
PG01001EP 2 . Y . . . . . 130.840-019 . . . . .
PG07 . . . . . PRIUS . . . . . 122010AKGJTDBBADU5B0865DK0
PG08JTDBBADU5B1865DK1JTDBBADU5B2865DK2JTDBBADU5B3865DK3JTDBBADU5B4865DK4 . . . . .
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PG08JTDBBADU5B9865DK9JTDBBADU5BK865DKAJTDBBADU6B7865DKB . . . . .
PG10 . . . . . V06 . . . . . 2011 . . . . .
PG143EP19EPAV01.0ABC-002 . . . . . 112312020 . . . . .
PG143EP19EPAV01.0ABC . . . . .
PG19MF . . . . . TOYOTA (JAPAN) . . . . .
PG19IM . . . . . TOYOTA NORTH AMERICA . . . . . 1234 PEACHTREE STREET . . . . .
PG20 . . . . . ATLANTA . . . . . GA US30301 . . . . .
PG21IM JANE SMITH . . . . . 7062345678 . . . . . JANE.SMITH@TOYOTAAMERICA.COM . . . . .
PG19DFP . . . . . TOYOTA NORTH AMERICA . . . . . 1234 PEACHTREE STREET . . . . .
PG20 . . . . . ATLANTA . . . . . GA US30301 . . . . .
PG21DFPJANE SMITH . . . . . 7062345678 . . . . . JANE.SMITH@TOYOTAAMERICA.COM . . . . .
PG19STL . . . . . TOYOTA STORAGE . . . . . 123 JERSEY AVE . . . . .
PG20 . . . . . NEWARK . . . . . NJ US07310 . . . . .
PG21STLJONES SMITH . . . . . 2014567890 . . . . . JONES.SMITH@TOYOTASTORAGE.COM . . . . .
PG19CI . . . . . TOYOTA NORTH AMERICA . . . . . 1234 PEACHTREE STREET . . . . .
PG20 . . . . . ATLANTA . . . . . GA US30301 . . . . .
PG21CI JANE SMITH . . . . . 7062345678 . . . . . JANE.SMITH@TOYOTAAMERICA.COM . . . . .
PG22.1000 . . . . . CI EP2 Y01272011 . . . . .
PG24EP2 . . . . . A . . . . .

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Summary

- EPA and CBP are getting ready for pilots
 - Moving to eReporting, automated processing
- Need Trade Volunteers to Test
 - eReporting, early filing, messaging that EPA requirements are met
 - Look for Federal Register Notice
 - Contact Susan, me if you are interested
- Can get started soon on PGA Message Set
- Questions?



For More Information



- Susan Dyszel
202-863-6211
Susan.dyszel@cbp.dhs.gov
- Roy Chaudet
202-566-1703
Chaudet.roy@epa.gov



Questions?



Backup Slide



Compliance-Based Admissibility

Ozone Depleting Substances (CAA) OAR/OECA



-Ensure imports of ozone depleting substances are limited to those ***allowed under the Clean Air Act.***

Vehicles and Engines (CAA) OAR/OECA



-Ensure imported vehicles & engines ***meet US emissions standards and compete fairly with US products*** that meet same standards, thereby improving air quality.

Fuels (CAA) OAR/OECA



-Ensure imported fuels & additives ***meet fuel quality standards*** to help improve air quality, protect against harmful gas & particulate matter emissions from motor vehicles & engines, & compete fairly with US fuel products that meet standards.

Toxic Substances (TSCA) OPPT/OECA



-Assist CBP to ensure chemical substances subject to TSCA ***comply with statute before importation.***

Pesticides (FIFRA) OPP/OECA



-Advise and instruct CBP that ***only pesticides compliant with FIFRA*** are imported into the US, preventing illegal shipments.

Hazardous Waste (RCRA) ORCR/OECA



-Ensure only ***hazardous waste shipments authorized by EPA as approved*** by receiving countries are ***exported*** from the US, ***tracking imports***