

**Re: Coming into force of the *Regulations Amending the Off-Road Compression-Ignition Engine Emission Regulations* under the *Canadian Environmental Protection Act, 1999***

Madam, Sir,

On November 17<sup>th</sup>, 2011, the *Regulations Amending the Off-Road Compression-Ignition Engine Emission Regulations* (the Amendments) made under the authority of Section 160 of the *Canadian Environmental Protection Act, 1999* (the Act) were approved.

The Amendments align Canadian emissions standards with the U.S. EPA's Tier 4 standards as outlined in Title 40, Part 1039 of the Code of Federal Regulations. These standards will come into force on January 16<sup>th</sup>, 2012 and apply to engines of the 2012 and later model years manufactured on and after January 16<sup>th</sup>, 2012.

Environment Canada recognizes that until such time that the Amendments are in force, companies may seek to import "Tier 4 flexibility" engines into Canada. Accordingly, the Amendments include Temporary Standards that came into effect immediately on November 17<sup>th</sup>, 2011. These Temporary Standards are in effect replacing the *Interim Order Modifying the Operation of the Off-road Compression-Ignition Engine Emission Regulations* (Interim Order) and allow the continued importation of "Tier 4 flexibility" engines into Canada, until the full Amendments come into force. Please find here the Temporary Standards:

#### TEMPORARY STANDARDS

- 25.1 (1)** Despite section 14 of the Regulations, an engine that is sold concurrently in Canada and in the United States and that bears the U.S. emission control information label referred to in section 625(j)(1), part 1039, of Title 40 of the *Code of Federal Regulations* of the United States must conform to the emission standards referred to in section 625, part 1039, of Title 40 of that Code instead of the standards set out in sections 9 to 11.
- (2) For greater certainty, section 17 of the Regulations applies to an engine referred to in subsection (1).

Please take note that once the Amendments are in force, (January 16<sup>th</sup>, 2012) the Temporary Standards will cease to have effect. At that the time, the import of these engines will fall under the updated Transition Engines provisions. These provisions allow the continued import of these engines and incorporate new reporting requirements.

Once published in the *Canada Gazette, Part II* (expected to be on December 7<sup>th</sup>, 2011) Environment Canada will provide you with a link to the regulatory text.

**Contact Persons for Further Information:**

Should you have any questions or require clarification on the implementation of the *Off-Road Compression-Ignition Engine Emission Regulations* and the above Amendments, please contact:

**Regulatory Administration:** (819) 956-5941 or [VehicleandEngineInfo@ec.gc.ca](mailto:VehicleandEngineInfo@ec.gc.ca)

Sincerely,

**Josée Lavergne** and **Morrie Kirshenblatt**  
Chief, Air Pollutant                      Chief, Regulatory  
Regulatory                                      Administration  
Development                                  Transportation Division  
Transportation  
Division