NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

|  |  |
| --- | --- |
| **1.** | **Notifying Member:** United States of America **If applicable, name of local government involved (Article 3.2 and 7.2):**  |
| **2.** | **Agency responsible:** Environmental Protection Agency (EPA) [1484]**Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above:** Please submit comments to: USA WTO TBT Enquiry Point, Email: usatbtep@nist.gov |
| **3.** | **Notified under Article 2.9.2 [  ],** **2.10.1 [  ],** **5.6.2 [  ],** **5.7.1 [  ],** **other:** **[X]** |
| **4.** | **Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):** Methylene Chloride; Paints and varnishes (including enamels and lacquers) based on synthetic polymers or chemically modified natural polymers, dispersed or dissolved in a non-aqueous medium; solutions as defined in Note 4 to this Chapter (HS 3208); Paints and varnishes (including enamels and lacquers) based on synthetic polymers or chemically modified natural polymers, dispersed or dissolved in an aqueous medium (HS 3209); Services (ICS 03.080), Occupational safety. Industrial hygiene (ICS 13.100), Products of the chemical industry (ICS 71.100), Paint coating processes (ICS 87.020), Paints and varnishes (ICS 87.040), Paint ingredients (ICS 87.060) |
| **5.** | **Title, number of pages and language(s) of the notified document:** Methylene Chloride; Commercial Paint and Coating Removal Training, Certification and Limited Access Program (8 page(s), in English) |
| **6.** | **Description of content:** Under the Toxic Substances Control Act (TSCA), EPA has the authority to apply a suite of regulatory tools to address unreasonable risks from chemical substances, including authority to regulate the distribution in commerce for a particular use and to regulate any manner or method of commercial use, to the extent necessary so that the chemical substance no longer presents unreasonable risk. EPA is issuing an advance notice of proposed rulemaking (ANPRM) to solicit public input on training, certification, and limited access requirements that could address any unreasonable risks that EPA could potentially find to be presented by methylene chloride when used for commercial paint and coating removal. Such a program could allow access to paint and coating removal products containing methylene chloride only to commercial users who are certified as properly trained to engage in use practices that do not present unreasonable risks. |
| **7.** | **Objective and rationale, including the nature of urgent problems where applicable:** Protection of human health or safety; Protection of the environment |
| **8.** | **Relevant documents:** * 84 Federal Register (FR) 11466, 27 March 2019; Title 40 Code of Federal Regulations (CFR) Part 751. Will appear in the Federal Register when adopted.
* [G/TBT/N/USA/1271 and subsequent addenda](http://tbtims.wto.org/en/Notifications/Search?ProductsCoveredHSCodes=&ProductsCoveredICSCodes=&DoSearch=True&ExpandSearchMoreFields=False&NotifyingMember=&DocumentSymbol=g%2Ftbt%2Fn%2Fusa%2F1271&DistributionDateFrom=&DistributionDateTo=&SearchTerm=&ProductsCovered=&DescriptionOfContent=&CommentPeriod=&FinalDateForCommentsFrom=&FinalDateForCommentsTo=&ProposedDateOfAdoptionFrom=&ProposedDateOfAdoptionTo=&ProposedDateOfEntryIntoForceFrom=&ProposedDateOfEntryIntoForceTo=) - Methylene Chloride and N‑Methylpyrrolidone; Regulation of Certain Uses Under TSCA Section 6(a)
 |
| **9.** | **Proposed date of adoption:** To be determined**Proposed date of entry into force:** To be determined |
| **10.** | **Final date for comments:** 28 May 2019 |
| **11.** | **Texts available from: National enquiry point [** **]** **or address, telephone and fax numbers and email and website addresses, if available, of other body:** <https://members.wto.org/crnattachments/2019/TBT/USA/19_1872_00_e.pdf> |