NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

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| **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) [1482]**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 [****X],** **2.10.1 [ ],** **5.6.2 [ ],** **5.7.1 [ ],** **other:**  |
| **4.** | **Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):** Electric utility generating units emissions; Electric motors and generators (excluding generating sets) (HS 8501); Air quality (ICS 13.040), Rotating machinery (ICS 29.160) |
| **5.** | **Title, number of pages and language(s) of the notified document:** Review of Standards of Performance for Greenhouse Gas Emissions From New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units (41 page(s), in English) |
| **6.** | **Description of content:** The Environmental Protection Agency (EPA) is proposing amendments to the rulemaking titled "Standards of Performance for Greenhouse Gas Emissions from New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units (EGUs)," which the EPA promulgated by notice dated 23 October 2015 (i.e., the 2015 Rule). Specifically, the EPA proposes to amend its previous determination that the best system of emission reduction (BSER) for newly constructed coal-fired steam generating units (i.e., EGUs) is partial carbon capture and storage (CCS). Instead, the EPA proposes to find that the BSER for this source category is the most efficient demonstrated steam cycle (e.g., supercritical steam conditions for large units and subcritical steam conditions for small units) in combination with the best operating practices. The EPA proposes to revise the standard of performance for newly constructed steam generating units as separate standards of performance for large and small steam generating units that reflect the Agency's amended BSER determination. In addition, the EPA proposes to revise the standard of performance for reconstructed steam generating units to be separate standards of performance for reconstructed large and small steam generating units, consistent with the proposed revised standards for newly constructed steam generating units. The EPA also proposes separate standards of performance for newly constructed and reconstructed coal refuse-fired EGUs. In addition, the EPA proposes to revise the maximally stringent standards for large modifications of steam generating units to be consistent with the standards for reconstructed large and small steam generating units. The EPA is not proposing to amend and is not reopening the standards of performance for newly constructed or reconstructed stationary combustion turbines. The EPA is also proposing to make other miscellaneous technical changes in the regulatory requirements. |
| **7.** | **Objective and rationale, including the nature of urgent problems where applicable:** Protection of the environment |
| **8.** | **Relevant documents:** * 83 Federal Register (FR) 65424, 20 December 2018; Title 40 Code of Federal Regulations (CFR) Part 60. Will appear in the Federal Register when adopted.
* Review of Standards of Performance for Greenhouse Gas Emissions From New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units, Extension of public comment period published 7 February 2019: <https://www.govinfo.gov/content/pkg/FR-2019-02-07/html/2019-01365.htm> <https://www.govinfo.gov/content/pkg/FR-2019-02-07/pdf/2019-01365.pdf>
* Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units, Final Rule published 23 October 2015: <https://www.govinfo.gov/content/pkg/FR-2015-10-23/html/2015-22842.htm> <https://www.govinfo.gov/content/pkg/FR-2015-10-23/pdf/2015-22842.pdf>
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| **9.** | **Proposed date of adoption:** To be determined**Proposed date of entry into force:** To be determined |
| **10.** | **Final date for comments:** 18 March 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_1869_00_e.pdf> |