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) [1579]  **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](mailto: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):** Per- and Polyfluoroalkyl substances; Environmental protection (ICS 13.020), Domestic safety (ICS 13.120), Production in the chemical industry (ICS 71.020), Products of the chemical industry (ICS 71.100) |
| **5.** | **Title, number of pages and language(s) of the notified document:** Addition of Certain Per- and Polyfluoroalkyl Substances; Community Right-to-Know Toxic Chemical Release Reporting (5 page(s), in English) |
| **6.** | **Description of content:** In this advance notice of proposed rulemaking (ANPRM), EPA is soliciting information from the public as EPA considers proposing a future rule on adding certain per- and polyfluoroalkyl substances (PFAS) to the list of toxic chemicals subject to reporting under section 313 of the Emergency Planning and Community Right-to-Know Act (EPCRA) and section 6607 of the Pollution Prevention Act (PPA). In this ANPRM, EPA outlines what PFAS are, why the Agency is considering adding certain PFAS to EPCRA section 313, what listing actions are being considered, who may be required to report, the current understanding of hazard concerns for PFAS, EPA's hazard assessments on PFAS, and other information available on these chemicals. In considering a chemical for addition to the EPCRA section 313 list, EPA bases its listing decision on the chemical's hazard (i.e., toxicity), not the risk (i.e., toxicity plus potential exposures) related to that chemical. EPA is requesting comment on which, if any, PFAS should be evaluated for listing, how to list them, and what would be appropriate reporting thresholds given their persistence and bioaccumulation potential. Lastly, EPA asks for any additional data to inform the Agency's evaluation and determination of which PFAS may meet the EPCRA section 313 listing criteria. |
| **7.** | **Objective and rationale, including the nature of urgent problems where applicable:** Consumer information, labelling; Prevention of deceptive practices and consumer protection; Protection of human health or safety; Protection of the environment |
| **8.** | **Relevant documents:**   * 84 Federal Register (FR) 66369, 4 December 2019; Title 40 Code of Federal Regulations (CFR) Part 372: [<https://www.govinfo.gov/content/pkg/FR-2019-12-04/html/2019-26034.htm>  <https://www.govinfo.gov/content/pkg/FR-2019-12-04/pdf/2019-26034.pdf>](%20HYPERLINK%20) * Supporting Documents [<https://www.regulations.gov/docketBrowser?rpp=25&so=DESC&sb=commentDueDate&po=0&dct=SR%2BO&D=EPA-HQ-TRI-2019-0375>](%20HYPERLINK%20) |
| **9.** | **Proposed date of adoption:** To be determined  **Proposed date of entry into force:** To be determined |
| **10.** | **Final date for comments:** 3 February 2020 |
| **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_7035_00_e.pdf> |