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) [1961]  **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 [****],** **2.10.1 [****],** **5.6.2 [****],** **5.7.1 [****], 3.2 [****], 7.2 [****],** **other****[X]:** Proposing to make endangerment and cause or contribute findings for the lead air pollution and engine emissions of lead from certain aircraft. |
| **4.** | **Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):** Lead emissions from aircraft engines; Environmental protection (ICS code(s): 13.020); Air quality (ICS code(s): 13.040); Aerospace engines and propulsion systems (ICS code(s): 49.050); Liquid fuels (ICS code(s): 75.160.20) |
| **5.** | **Title, number of pages and language(s) of the notified document:** Proposed Finding That Lead Emissions From Aircraft Engines That Operate on Leaded Fuel Cause or Contribute to Air Pollution That May Reasonably Be Anticipated To Endanger Public Health and Welfare; (29 page(s), in English) |
| **6.** | **Description of content:** Proposed action - In this action, the Administrator is proposing to find that lead air pollution may reasonably be anticipated to endanger the public health and welfare within the meaning of [section 231(a)](https://www.govinfo.gov/content/pkg/USCODE-2020-title42/html/USCODE-2020-title42-chap85-subchapII-partB-sec7571.htm) of the [Clean Air Act](https://www.epa.gov/clean-air-act-overview/clean-air-act-text). The Administrator is also proposing to find that engine emissions of lead from certain aircraft cause or contribute to the lead air pollution that may reasonably be anticipated to endanger public health and welfare under section 231(a) of the Clean Air Act. Entities potentially interested in this proposed action include those that manufacture and sell covered aircraft engines and covered aircraft in the United States and those who own or operate covered aircraft. Covered aircraft engines in this context means any aircraft engine capable of using leaded aviation gasoline as well as all aircraft and ultralight vehicles equipped with covered engines. The proposed findings in this action, if finalized, would not themselves apply new requirements to entities other than the EPA and the Federal Aviation Administration (FAA). |
| **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:**  87 Federal Register (FR) 62753, 17 October 2022; Title 40 Code of Federal Regulations (CFR) Parts 87, 1031, and 1068:  <https://www.govinfo.gov/content/pkg/FR-2022-10-17/html/2022-22223.htm>  <https://www.govinfo.gov/content/pkg/FR-2022-10-17/pdf/2022-22223.pdf>  This proposed action is identified by Docket Number EPA-HQ-OAR-2022-0389. The Docket Folder is available on Regulations.gov at <https://www.regulations.gov/docket/EPA-HQ-OAR-2022-0389/document> and provides access to primary documents as well as comments received. Documents are also accessible from [Regulations.gov](http://www.regulations.gov/) by searching the Docket Number. WTO Members and their stakeholders are asked to submit comments to the [USA TBT Enquiry Point](mailto:usatbtep@nist.gov) by or before [4pm](http://time-time.net/times/time-zones/usa-canada/current-eastern-time-est.php) [Eastern Time](https://24timezones.com/time-zone/et) on 17 January 2023. Comments received by the USA TBT Enquiry Point from WTO Members and their stakeholders will be shared with the regulator and will also be submitted to the [Docket](https://www.regulations.gov/docket/EPA-HQ-OAR-2022-0389/document) on Regulations.gov if received within the comment period.  The EPA plans to hold a virtual public hearing on 1 November 2022 using Zoom. To attend, all attendees (including those who will not be presenting verbal testimony) must register in advance, by or before [31 October 2022](https://24timezones.com/time-zone/et). Use the instructions at <https://www.epa.gov/regulations-emissions-vehicles-and-engines/regulations-lead-emissions-aircraft> to register to speak at the virtual hearing. Prior to the hearing, the EPA will post a general agenda that will list registered speakers in approximate (speaking) order at the URL listed directly above. The EPA will make every effort to follow the schedule as closely as possible on the day of the hearing; however, please plan for the hearings to run either ahead of schedule or behind schedule. |
| **9.** | **Proposed date of adoption:** To be determined  **Proposed date of entry into force:** To be determined |
| **10.** | **Final date for comments:** 17 January 2023 |
| **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/2022/TBT/USA/22_7047_00_e.pdf> |