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) [1969]  **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 [****], 3.2 [****], 7.2 [****],** **other****:** |
| **4.** | **Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):** Hydrofluorocarbons; Environmental protection (ICS code(s): 13.020); Production in the chemical industry (ICS code(s): 71.020); Products of the chemical industry (ICS code(s): 71.100) |
| **5.** | **Title, number of pages and language(s) of the notified document:** Phasedown of Hydrofluorocarbons: Allowance Allocation Methodology for 2024 and Later Years; (38 page(s), in English) |
| **6.** | **Description of content:** Proposed rule - The U.S. Environmental Protection Agency is proposing to amend existing regulations to implement certain provisions of the [American Innovation and Manufacturing Act](https://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title42-section7675(a)&num=0&edition=prelim), as enacted on 27 December 2020. This rulemaking proposes to establish the methodology for allocating hydrofluorocarbon production and consumption allowances for the calendar years of 2024 through 2028. EPA is also proposing to amend the consumption baseline to reflect updated data and to make other adjustments based on lessons learned from implementation of the hydrofluorocarbon phasedown program thus far, including proposing to: codify the existing approach of how allowances must be expended for import of regulated substances; revise recordkeeping and reporting requirements; and implement other modifications to the existing regulations. |
| **7.** | **Objective and rationale, including the nature of urgent problems where applicable:** Protection of the environment |
| **8.** | **Relevant documents:**  87 Federal Register (FR) 66372, 3 November 2022; Title 40 Code of Federal Regulations (CFR) Part 84:  <https://www.govinfo.gov/content/pkg/FR-2022-11-03/html/2022-23269.htm>  <https://www.govinfo.gov/content/pkg/FR-2022-11-03/pdf/2022-23269.pdf>  This proposed rule is identified by Docket Number EPA-HQ-OAR-2022-0430. The Docket Folder is available on Regulations.gov at <https://www.regulations.gov/docket/EPA-HQ-OAR-2022-0430/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 19 December 2022. 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-2022-0430/document) on Regulations.gov if received within the comment period.  [G/TBT/N/USA/1735 and subsequent addenda](https://eping.wto.org/en/Search?domainIds=1&documentSymbol=usa%2F1735) - Phasedown of Hydrofluorocarbons: Establishing the Allowance Allocation and Trading Program Under the American Innovation and Manufacturing Act, identified by Docket Numbers [EPA-HQ-OAR-2021-0044](https://www.regulations.gov/docket/EPA-HQ-OAR-2021-0044/document) and [EPA-HQ-OAR-2022-0755](https://www.regulations.gov/docket/EPA-HQ-OAR-2022-0755/document). |
| **9.** | **Proposed date of adoption:** To be determined  **Proposed date of entry into force:** To be determined |
| **10.** | **Final date for comments:** 19 December 2022 |
| **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_7474_00_e.pdf> |