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) [2025]**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 [****], 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):** Ethylene Production; Environmental protection (ICS code(s): 13.020); Air quality (ICS code(s): 13.040); Production in the chemical industry (ICS code(s): 71.020); Organic chemicals (ICS code(s): 71.080); Products of the chemical industry (ICS code(s): 71.100) |
| **5.** | **Title, number of pages and language(s) of the notified document:** National Emission Standards for Hazardous Air Pollutants: Ethylene Production, Miscellaneous Organic Chemical Manufacturing, Organic Liquids Distribution (Non-Gasoline), and Petroleum Refineries Reconsideration; (17 page(s), in English) |
| **6.** | **Description of content:** Proposed rule; reconsideration of final rule - On 6 July 2020, the U.S. Environmental Protection Agency (EPA) finalized the residual risk and technology review (RTR) conducted for the Ethylene Production source category, which is part of the Generic Maximum Achievable Control Technology (GMACT) Standards National Emission Standards for Hazardous Air Pollutants (NESHAP); on 7 July 2020, the EPA finalized the RTR conducted for the Organic Liquids Distribution (Non-Gasoline) NESHAP; and on 12 August 2020, the EPA finalized the RTR conducted for the Miscellaneous Organic Chemical Manufacturing NESHAP. Amendments to the Petroleum Refineries NESHAP were most recently finalized on 4 February 2020. Subsequently, the EPA received and granted various petitions for reconsideration on these NESHAP for, among other things, the provisions related to the work practice standards for pressure relief devices (PRDs), emergency flaring, and degassing of floating roof storage vessels. In response to the petitions, the EPA is proposing amendments to the work practice standards for PRDs, emergency flaring, and degassing of floating roof storage vessels. In addition, the EPA is proposing other technical corrections and clarifications for each of the rules. The EPA will not respond to comments addressing any other issues or any other provisions of the final rule not specifically addressed in this proposed rulemaking. |
| **7.** | **Objective and rationale, including the nature of urgent problems where applicable:** Protection of the environment |
| **8.** | **Relevant documents:** 88 Federal Register (FR) 25574, 27 April 2023; Title 40 Code of Federal Regulations (CFR) Part 63: <https://www.govinfo.gov/content/pkg/FR-2023-04-27/html/2023-07627.htm><https://www.govinfo.gov/content/pkg/FR-2023-04-27/pdf/2023-07627.pdf>This proposed rule; reconsideration of final rule is identified by Docket Number EPA-HQ-OAR-2022-0787. The Docket Folder is available on Regulations.gov at <https://www.regulations.gov/docket/EPA-HQ-OAR-2022-0787/document> and provides access to primary and supporting 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. Comments received by the USA TBT Enquiry Point from WTO Members and their stakeholders by [4pm](http://time-time.net/times/time-zones/usa-canada/current-eastern-time-est.php) [Eastern Time](https://24timezones.com/time-zone/et) on 12 June 2023 will be shared with the regulator and will also be submitted to the [Docket](https://www.regulations.gov/docket/EPA-HQ-OAR-2022-0787/document) on Regulations.gov if received within the comment period. |
| **9.** | **Proposed date of adoption:** To be determined**Proposed date of entry into force:** To be determined |
| **10.** | **Final date for comments:** 12 June 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/2023/TBT/USA/23_09599_00_e.pdf> |