



20 June 2013

(13-3198)

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Committee on Technical Barriers to Trade

Original: English

NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

1.	Notifying Member: <u>UNITED STATES OF AMERICA</u> If applicable, name of local government involved (Article 3.2 and 7.2):
2.	Agency responsible: Environmental Protection Agency (EPA) [847] 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:
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): Fuels (ICS 75.160) Fuels and fuel additives.
5.	Title, number of pages and language(s) of the notified document: Regulation of Fuels and Fuel Additives: RFS Pathways II and Technical Amendments to the RFS 2 Standards (38 pages, in English).
6.	<p>Description of content: In this Notice of Proposed Rulemaking, EPA is proposing amendments to three separate sets of regulations relating to fuels. First, EPA is proposing to amend certain of the renewable fuels standard (RFS2) program regulations. We believe these proposals will facilitate the introduction of new renewable fuels as well as improve implementation of the program. This proposal includes various changes related to biogas, including changes related to the revised compressed natural gas (CNG)/liquefied natural gas (LNG) pathway and amendments to various associated registration, recordkeeping, and reporting provisions. This proposed regulation includes the addition of new pathways for renewable diesel, renewable naphtha, and renewable electricity (used in electric vehicles) produced from landfill biogas. Adding these new pathways will enhance the ability of the biofuels industry to supply advanced biofuels, including cellulosic biofuels, which greatly reduce the greenhouse gas emissions (GHG) compared to the petroleum-based fuels they replace. It also addresses "nameplate capacity" issues for certain production facilities that do not claim exemption from the 20% greenhouse gas (GHG) reduction threshold. In this notice, EPA addresses issues related to crop residue and corn kernel fiber and proposes an approach to determining the volume of cellulosic RINs produced from various cellulosic feedstocks. We also include a lifecycle analysis of advanced butanol and discuss the potential to allow for commingling of compliant products at the retail facility level as long as the environmental performance of the fuels would not be detrimental. Several other amendments to the RFS2 program are included.</p> <p>Second, EPA is also proposing various changes to the E15 misfueling mitigation regulations (E15 MMR). Among the E15 changes proposed are technical corrections and amendments to sections dealing with labeling, E15 surveys, product transfer documents, and prohibited acts. We also propose to amend the definitions in order to address a concern about the rounding of test results for ethanol content violations.</p> <p>Lastly, EPA is proposing changes to the survey requirements associated with the ultra-</p>

low sulfur diesel (ULSD) program.	
7.	Objective and rationale, including the nature of urgent problems where applicable: Protection of the environment.
8.	Relevant documents: 78 Federal Register (FR) 36041, 14 June 2013; Title 40 Code of Federal Regulations (CFR) Part 80. Will appear in the Federal Register when adopted.
9.	Proposed date of adoption: To be determined Proposed date of entry into force: To be determined
10.	Final date for comments: 15 August 2013
11.	Text available from: National enquiry point [], or address, telephone and fax numbers, e-mail and web-site addresses, if available of the other body: http://www.gpo.gov/fdsys/pkg/FR-2013-06-14/html/2013-12714.htm http://www.gpo.gov/fdsys/pkg/FR-2013-06-14/pdf/2013-12714.pdf