



20 October 2023

(23-7071)

Page: 1/2

Committee on Technical Barriers to Trade

Original: English

### NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

<b>1. Notifying Member:</b> <u>UNITED STATES OF AMERICA</u> <b>If applicable, name of local government involved (Article 3.2 and 7.2):</b>
<b>2. Agency responsible:</b> Environmental Protection Agency (EPA) [2090] <b>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:</b> Please submit comments to: USA WTO TBT Enquiry Point, Email: <a href="mailto:usatbtep@nist.gov">usatbtep@nist.gov</a>
<b>3. Notified under Article 2.9.2 [X], 2.10.1 [ ], 5.6.2 [ ], 5.7.1 [ ], 3.2 [ ], 7.2 [ ], other:</b>
<b>4. Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):</b> 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)
<b>5. Title, number of pages and language(s) of the notified document:</b> Phasedown of Hydrofluorocarbons: Management of Certain Hydrofluorocarbons and Substitutes Under Subsection (h) of the American Innovation and Manufacturing Act of 2020; (97 page(s), in English)
<b>6. Description of content:</b> Notice of proposed rulemaking and advance notice of proposed rulemaking - The U.S. Environmental Protection Agency is proposing to issue regulations to implement certain provisions of the <a href="#">American Innovation and Manufacturing Act of 2020</a> . This rulemaking proposes to establish a program for the management of hydrofluorocarbons that includes requirements for leak repair and use of automatic leak detection systems for certain equipment using refrigerants containing hydrofluorocarbons and certain substitutes; requirements for the use of reclaimed hydrofluorocarbons in certain sectors or subsectors; the use of recycled hydrofluorocarbons in fire suppression equipment; recovery of hydrofluorocarbons from cylinders; container tracking; and certain recordkeeping, reporting, and labeling requirements. The Environmental Protection Agency is also proposing alternative <a href="#">Resource Conservation and Recovery Act</a> standards for spent ignitable refrigerants being recycled for reuse. Finally, EPA requests advance comment on approaches for establishing requirements for technician training and/or certification. EPA will hold a virtual public hearing on or about 3 November 2023. The date, time, and other relevant information for the virtual public hearing will be available at <a href="https://www.epa.gov/climate-hfcs-reduction">https://www.epa.gov/climate-hfcs-reduction</a> .
<b>7. Objective and rationale, including the nature of urgent problems where applicable:</b> Protection of the environment

**8. Relevant documents:**

88 Federal Register (FR) 72216, 19 October 2023; [Title 40](#) Code of Federal Regulations (CFR) Parts [84](#), [261](#), [262](#), [266](#), [270](#), and [271](#):

<https://www.govinfo.gov/content/pkg/FR-2023-10-19/html/2023-22526.htm>

<https://www.govinfo.gov/content/pkg/FR-2023-10-19/pdf/2023-22526.pdf>

This notice of proposed rulemaking and advance notice of proposed rulemaking is identified by Docket Number EPA-HQ-OAR-2022-0606. The Docket Folder is available on Regulations.gov at <https://www.regulations.gov/docket/EPA-HQ-OAR-2022-0606/document> and provides access to primary and supporting documents as well as comments received. Documents are also accessible from [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 Eastern Time](#) on 18 December 2023 will be shared with the regulator and will also be submitted to the [Docket](#) on Regulations.gov if received within the comment period.

Phasedown of Hydrofluorocarbons: Notice of 2024 Allowance Allocations for Production and Consumption of Regulated Substances Under the American Innovation and Manufacturing Act of 2020, and Notice of Final Administrative Consequences published 19 October 2023 identified by Docket Number [EPA-HQ-OAR-2021-0669](#):

<https://www.govinfo.gov/content/pkg/FR-2023-10-19/html/2023-22163.htm>

<https://www.govinfo.gov/content/pkg/FR-2023-10-19/pdf/2023-22163.pdf>

**9. Proposed date of adoption:** To be determined

**Proposed date of entry into force:** To be determined

**10. Final date for comments:** 18 December 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\\_13065\\_00\\_e.pdf](https://members.wto.org/crnattachments/2023/TBT/USA/23_13065_00_e.pdf)