



22 April 2016

(16-2288)

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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) [1123] 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 [], other:
4.	Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): Closed cell foam products. Environmental protection (ICS: 13.020), Manufacturing processes in the rubber and plastics industries (ICS: 83.020)
5.	Title, number of pages and language(s) of the notified document: Protection of Stratospheric Ozone: Proposed New Listings of Substitutes; Changes of Listing Status; and Reinterpretation of Unacceptability for Closed Cell Foam Products Under the Significant New Alternatives Policy Program; and Revision of Clean Air Act Section 608 Venting Prohibition for Propane (101 pages, in English)
6.	Description of content: Pursuant to the U.S. Environmental Protection Agency's (EPA) Significant New Alternatives Policy program, this action proposes to list a number of substances as acceptable, subject to use conditions; to list several substances as unacceptable; and to modify the listing status for certain substances from acceptable to acceptable, subject to narrowed use limits, or to unacceptable. Specifically, this action proposes to list as acceptable, subject to use restrictions, propane and HFO-1234yf in the refrigeration and air conditioning, and 2-bromo- 3,3,3-trifluoroprop-1-ene in the fire suppression and explosion protection sectors; to list as unacceptable certain hydrocarbons and hydrocarbon blends in specific end-uses in the refrigeration and air conditioning sector; and to modify the listing status for certain high- global warming potential alternatives for certain end-uses in the refrigeration and air conditioning, foam blowing, and fire suppression and explosion protection sectors. This action also proposes to exempt propane in certain refrigeration end-uses from the Clean Air Act section 608 prohibition on venting, release, or disposal on the basis of current evidence that its venting, release, or disposal does not pose a threat to the environment. In addition, this action proposes to apply unacceptability determinations for foam-blowing agents to closed cell foam products and products containing closed cell foam that are manufactured or imported using these foam-blowing agents. This action also proposes to clarify the listing for Powdered Aerosol D (Stat- X[supreg]), which is currently listed as both acceptable and acceptable subject to use conditions, by removing the listing as acceptable subject to use conditions.

7.	Objective and rationale, including the nature of urgent problems where applicable: Protection of the environment
8.	Relevant documents: 81 Federal Register (FR) 22809, 18 April 2016; Title 40 Code of Federal Regulations (CFR) Part 82. 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: 2 June 2016
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/2016/TBT/USA/16_1616_00_e.pdf