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) [1829]  **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 [****],** **2.10.1 [****],** **5.6.2 [****],** **5.7.1 [****],** **other** **[X]:** |
| **4.** | **Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):** Mercury-added products; Environmental protection (ICS 13.020), Products of the chemical industry (ICS 71.100) |
| **5.** | **Title, number of pages and language(s) of the notified document:** Response to Vacatur of Certain Provisions of the Mercury Inventory Reporting Rule (5 page(s), in English) |
| **6.** | **Description of content:** Final rule - The Environmental Protection Agency (EPA) is revising regulations associated with persons who must report data to the Agency's mercury inventory established under the Toxic Substances Control Act (TSCA). Those reporting requirements were set forth in a final rule entitled "Reporting Requirements for TSCA  Mercury Inventory: Mercury" (hereafter "mercury inventory reporting rule"). These revisions implement an order issued by the United States Court of Appeals for the Second Circuit (Second Circuit), on 5 June 2020. |
| **7.** | **Objective and rationale, including the nature of urgent problems where applicable:** Protection of human health or safety; Protection of the environment |
| **8.** | **Relevant documents:**  86 Federal Register (FR) 61780, 8 November 2021; Title 40 Code of Federal Regulations (CFR) Part 713:  <https://www.govinfo.gov/content/pkg/FR-2021-11-08/html/2021-24209.htm> <https://www.govinfo.gov/content/pkg/FR-2021-11-08/pdf/2021-24209.pdf>  This final rule and a proposed rule published 26 October 2017 at <https://www.govinfo.gov/content/pkg/FR-2017-10-26/html/2017-23225.htm> and <https://www.govinfo.gov/content/pkg/FR-2017-10-26/pdf/2017-23225.pdf> are identified by Docket Number EPA-HQ-OPPT-2017-0421. The Docket Folder is available on Regulations.gov at <https://www.regulations.gov/docket/EPA-HQ-OPPT-2017-0421/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. |
| **9.** | **Proposed date of adoption:** 8 December 2021  **Proposed date of entry into force:** 8 December 2021 |
| **10.** | **Final date for comments:** None |
| **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/2021/TBT/USA/21_7077_00_e.pdf> |