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) [1893]**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 [****X],** **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):** Electric Arc Furnaces; Quality (ICS code(s): 03.120); Environmental protection (ICS code(s): 13.020); Electric furnaces (ICS code(s): 25.180.10) |
| **5.** | **Title, number of pages and language(s) of the notified document:** Standards of Performance for Steel Plants: Electric Arc Furnaces Constructed After 21 October 1974 & On or Before 17 August 1983; Standards of Performance for Steel Plants: Electric Arc Furnaces & Argon-Oxygen Decarburization Constructed After 17 August 1983; (19 page(s), in English) |
| **6.** | **Description of content:** Proposed rule; amendments - In this action, the EPA is proposing new and revised standards of performance for electric arc furnaces (EAF) and argon-oxygen decarburization (AOD) vessels in the steel industry. The EPA is proposing that EAF facilities that begin construction, reconstruction or modification after 16 May 2022 would need to comply with a particulate matter (PM) standard in the format of facility-wide PM emitted per amount of steel produced and a melt shop opacity limit of zero. The proposal would limit emissions of PM and opacity from new, modified, or reconstructed EAF and AOD vessels. In addition, we are proposing that all emission limits apply at all times; periodic compliance testing at least once every 5 years; and electronic reporting. In this action, the EPA also is proposing amendments for certain provisions in the current new source performance standards (NSPS) that apply to EAF constructed after 21 October 1974, and on or before 17 August 1983, and EAF and AOD vessels constructed after 17 August 1983, and before 16 May 2022 to clarify and refine the current provisions. |
| **7.** | **Objective and rationale, including the nature of urgent problems where applicable:** Protection of human health or safety; Protection of the environment; Quality requirements |
|  **8.** | **Relevant documents:** 87 Federal Register (FR) 29710, 16 May 2022; Title 40 Code of Federal Regulations (CFR) Part 60:<https://www.govinfo.gov/content/pkg/FR-2022-05-16/html/2022-09589.htm><https://www.govinfo.gov/content/pkg/FR-2022-05-16/pdf/2022-09589.pdf>This proposed rule; amendments is identified by Docket Number EPA-HQ-OAR-2002-0049. The Docket Folder is available from Regulations.gov at <https://www.regulations.gov/docket/EPA-HQ-OAR-2002-0049/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 by or before [4pm](http://time-time.net/times/time-zones/usa-canada/current-eastern-time-est.php) [Eastern Time](https://24timezones.com/time-zone/et) on 15 July 2022. Comments received by the USA TBT Enquiry Point from WTO Members and their stakeholders will be shared with the regulator and will also be submitted to the [Docket](https://www.regulations.gov/docket/EPA-HQ-OAR-2002-0049/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:** 15 July 2022 |
| **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/2022/TBT/USA/22_3472_00_e.pdf> |