



2 May 2023

(23-3084)

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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: U.S. Environmental Protection Agency (EPA) [2018] 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): Heavy-Duty Highway Vehicles and Engines; Automobile and Light Duty Motor Vehicles; Zero-Emission Vehicles; Plug-in Hybrid and Battery Electric Vehicles; and Locomotives, New Engines Used in Locomotives; Environmental protection (ICS code(s): 13.020); Air quality (ICS code(s): 13.040); Road vehicles in general (ICS code(s): 43.020); Road vehicle systems (ICS code(s): 43.040); Internal combustion engines for road vehicles (ICS code(s): 43.060); Commercial vehicles (ICS code(s): 43.080); Passenger cars. Caravans and light trailers (ICS code(s): 43.100); Electric road vehicles (ICS code(s): 43.120); Special purpose vehicles (ICS code(s): 43.160); Diagnostic, maintenance and test equipment (ICS code(s): 43.180); Railway engineering in general (ICS code(s): 45.020)
5. Title, number of pages and language(s) of the notified document: Greenhouse Gas Emissions Standards for Heavy-Duty Vehicles - Phase 3; (236 page(s), in English)
6. Description of content: Notice of proposed rulemaking and notification of public hearing to be held on 2 May and 3 May 2023 - The Environmental Protection Agency (EPA) is proposing to promulgate new GHG standards for heavy-duty highway vehicles starting in model year (MY) 2028 through MY 2032 and to revise certain GHG standards for MY 2027 that were established previously under EPA's Greenhouse Gas Emissions and Fuel Efficiency Standards for Medium- and Heavy-Duty Engines and Vehicles - Phase 2 rule (" HD GHG Phase 2 "). This document proposes updates to discrete elements of the Averaging Banking and Trading program, including a proposal to eliminate the last MY year of the HD GHG Phase 2 advanced technology incentive program for certain types of electric highway heavy-duty vehicles. EPA is proposing to add warranty requirements for batteries and other components of zero-emission vehicles and to require customer-facing battery state-of-health monitors for plug-in hybrid and battery electric vehicles. In this document, we are also proposing additional revisions and clarifying and editorial amendments to certain highway heavy-duty vehicle provisions and certain test procedures for heavy-duty engines. Finally, as part of this action, EPA is proposing to

	revise its regulations addressing preemption of state regulation of new locomotives and new engines used in locomotives. A two-day virtual public hearing will be held on 2 May and 3 May 2023. An additional session may be held on 4 May 2023, if necessary to accommodate the number of testifiers that sign up to testify.
7.	Objective and rationale, including the nature of urgent problems where applicable: Protection of the environment; Quality requirements
8.	Relevant documents: 88 Federal Register (FR) 25926, 27 April 2023; Title 40 Code of Federal Regulations (CFR) Parts 1036, 1037, 1054, 1065, 1074 https://www.govinfo.gov/content/pkg/FR-2023-04-27/html/2023-07955.htm https://www.govinfo.gov/content/pkg/FR-2023-04-27/pdf/2023-07955.pdf 88 FR 23388, 17 April 2023; Title 40 Code of Federal Regulations (CFR) Parts 1036, 1037, 1054, 1065, 1074 https://www.govinfo.gov/content/pkg/FR-2023-04-17/html/2023-07964.htm https://www.govinfo.gov/content/pkg/FR-2023-04-17/pdf/2023-07964.pdf Action: Notification of public hearing. SUMMARY: A two-day virtual public hearing will be held on 2 May and 3 May 2023 on its proposal titled "Greenhouse Gas Emissions Standards for Heavy-Duty Vehicles - Phase 3," which was signed by Administrator Regan on 11 April 2023. An additional session may be held on 4 May 2023, if necessary to accommodate the number of testifiers that sign up to testify. All hearing attendees (including those who do not intend to provide testimony) should notify EPA of their intent to attend or speak at the hearing by preregistering, preferably by email to EPA-HD-Hearings@epa.gov, or by contacting the contact person listed under FOR FURTHER INFORMATION CONTACT below. Additional information regarding the hearing appears under the section SUPPLEMENTARY INFORMATION. FOR FURTHER INFORMATION CONTACT: Amy Kopin, Office of Transportation and Air Quality, Assessment and Standards Division (ASD), Environmental Protection Agency, 2000 Traverwood Drive, Ann Arbor, MI 48105 USA; telephone number: + 1 734-214-4173; email address: EPA-HD-Hearings@epa.gov. The notice of proposed rulemaking and the notification of public hearing are identified by Docket Number EPA-HQ-OAR-2022-0985. The Docket Folder is available on Regulations.gov at https://www.regulations.gov/docket/EPA-HQ-OAR-2022-0985/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 16 June 2023 will be shared with the regulator and will also be submitted to the Docket on Regulations.gov if received within the comment period. G/TBT/N/USA/1011 and subsequent addenda and corrigendum - Greenhouse Gas Emissions and Fuel Efficiency Standards for Medium- and Heavy-Duty Engines and Vehicles - Phase 2, EPA-HQ-OAR-2014-0827
9.	Proposed date of adoption: To be determined Proposed date of entry into force: To be determined
10.	Final date for comments: 16 June 2023

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| <p>11. Texts available from: National enquiry point [] or address, telephone and fax numbers and email and website addresses, if available, of other body:</p> |
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https://members.wto.org/crnattachments/2023/TBT/USA/23_09384_00_e.pdf
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