



17 December 2024

(24-8900)

Page: 1/2

Committee on Technical Barriers to Trade

Original: English

### NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

1.	<b>Notifying Member:</b> <u>UNITED STATES OF AMERICA</u> <b>If applicable, name of local government involved (Article 3.2 and 7.2):</b>
2.	<b>Agency responsible:</b> Environmental Protection Agency (EPA) [2202] <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>
3.	<b>Notified under Article 2.9.2 [X], 2.10.1 [ ], 5.6.2 [ ], 5.7.1 [ ], 3.2 [ ], 7.2 [ ], other:</b>
4.	<b>Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):</b> Stationary combustion turbines and stationary gas turbines; Air quality (ICS code(s): 13.040); Internal combustion engines (ICS code(s): 27.020); Gas and steam turbines. Steam engines (ICS code(s): 27.040); Rotating machinery (ICS code(s): 29.160)
5.	<b>Title, number of pages and language(s) of the notified document:</b> Review of New Source Performance Standards for Stationary Combustion Turbines and Stationary Gas Turbines; (51 page(s), in English)
6.	<b>Description of content:</b> Proposed rule - The Environmental Protection Agency (EPA) is proposing amendments to the Standards of Performance for new, modified, and reconstructed stationary combustion turbines and stationary gas turbines based on a review of available control technologies for limiting emissions of criteria air pollutants. This review of the new source performance standards (NSPS) is required by the Clean Air Act ( <a href="#">CAA</a> ). As a result of this review, the EPA is proposing to establish size-based subcategories for new, modified, and reconstructed stationary combustion turbines that also recognize distinctions between those that operate at varying loads or capacity factors and those firing natural gas or non-natural gas fuels. In general, the EPA is proposing that combustion controls with the addition of post-combustion selective catalytic reduction (SCR) is the best system of emission reduction (BSER) for limiting nitrogen oxide (NOX) emissions from this source category, with certain, limited exceptions. Based on the application of this BSER and other updates in technical information, the EPA is proposing to lower the NOX standards of performance for most of the stationary combustion turbines included in this source category. In addition, for new, modified, and reconstructed stationary combustion turbines that fire or co-fire hydrogen, the EPA is proposing to ensure that those sources are subject to the same level of control for NOX emissions as sources firing natural gas or non-natural gas fuels, depending on the percentage of hydrogen fuel being utilized. The EPA is proposing to maintain the current standards for sulfur dioxide (SO2) emissions, because after reviewing the current SO2 standards, we propose to find that the use of low-sulfur fuels remains the BSER. Finally,

	the Agency is proposing amendments to address specific technical and editorial issues to clarify the existing regulations.
<b>7.</b>	<b>Objective and rationale, including the nature of urgent problems where applicable:</b> Protection of the environment
<b>8.</b>	<p><b>Relevant documents:</b></p> <p>89 Federal Register (FR) 101306, 13 December 2024; <a href="#">Title 40 Code of Federal Regulations (CFR) Part 60</a>:  <a href="https://www.govinfo.gov/content/pkg/FR-2024-12-13/html/2024-27872.htm">https://www.govinfo.gov/content/pkg/FR-2024-12-13/html/2024-27872.htm</a>  <a href="https://www.govinfo.gov/content/pkg/FR-2024-12-13/pdf/2024-27872.pdf">https://www.govinfo.gov/content/pkg/FR-2024-12-13/pdf/2024-27872.pdf</a></p> <p>This proposed rule is identified by Docket Number EPA-HQ-OAR-2024-0419. The Docket Folder is available on Regulations.gov at <a href="https://www.regulations.gov/docket/EPA-HQ-OAR-2024-0419/document">https://www.regulations.gov/docket/EPA-HQ-OAR-2024-0419/document</a> and provides access to primary and supporting documents as well as comments received. Documents are also accessible from <a href="#">Regulations.gov</a> by searching the Docket Number. WTO Members and their stakeholders are asked to submit comments to the <a href="#">USA TBT Enquiry Point</a>. Comments received by the USA TBT Enquiry Point from WTO Members and their stakeholders by <a href="#">4pm Eastern Time</a> on 13 March 2025 will be shared with EPA and will also be submitted to the <a href="#">Docket</a> on Regulations.gov if received within the comment period.</p>
<b>9.</b>	<p><b>Proposed date of adoption:</b> To be determined</p> <p><b>Proposed date of entry into force:</b> To be determined</p>
<b>10.</b>	<b>Final date for comments:</b> 13 March 2025
<b>11.</b>	<p><b>Texts available from: National enquiry point [ ] or address, telephone and fax numbers and email and website addresses, if available, of other body:</b></p> <p><a href="https://members.wto.org/crnattachments/2024/TBT/USA/24_08442_00_e.pdf">https://members.wto.org/crnattachments/2024/TBT/USA/24_08442_00_e.pdf</a></p>