



16 January 2025

(25-0429)

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Committee on Technical Barriers to Trade

Original: English

## NOTIFICATION

### *Revision*

The following notification is being circulated in accordance with Article 10.6.

<b>1. Notifying Member:</b> <u>UNITED STATES OF AMERICA</u> <b>If applicable, name of local government involved (Articles 3.2 and 7.2):</b>
<b>2. Agency responsible:</b> Environmental Protection Agency (EPA) <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>
<b>3. Notified under Article 2.9.2 [X], 2.10.1 [ ], 5.6.2 [X], 5.7.1 [ ], 3.2 [ ], 7.2 [ ], other:</b>
<b>4. Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):</b> Emissions of greenhouse gases and other harmful air pollutants; Environmental protection (ICS code(s): 13.020); Air quality (ICS code(s): 13.040); Extraction and processing of petroleum and natural gas (ICS code(s): 75.020)
<b>5. Title, number of pages and language(s) of the notified document:</b> Reconsideration of Standards of Performance for New, Reconstructed, and Modified Sources and Emission Guidelines for Existing Sources: Oil and Natural Gas Sector Climate Review; (19 page(s), in English)
<b>6. Description of content:</b> Proposed rule - The Environmental Protection Agency (EPA) is proposing amendments to the New Source Performance Standards and Emission Guidelines for Existing Sources for the Crude Oil and Natural Gas Source Category in response to petitions for reconsideration. Specifically, this action proposes discrete technical changes to two different aspects of the rules. First, this action proposes discrete technical changes to the temporary flaring provisions for associated gas in certain situations. Second, this action proposes discrete technical changes to the vent gas net heating value (NHV) continuous monitoring requirements and alternative performance test (sampling demonstration) option for flares and enclosed combustion devices. In a letter dated 6 May 2024, the EPA notified petitioners and the public that the Agency granted reconsideration on these two aspects of the 8 March 2024 ( <a href="#">89 FR 16820</a> ) final rule (notified as <a href="#">G/TBT/N/USA/1802/Add.3</a> ). These amendments neither propose changes to any other aspect of the final rule, nor propose to alter the substance of any emission standards within the final rule. Also, in this action, the EPA proposes to make formatting changes to the regulatory text to meet the required formatting standards of the Office of the Federal Register.

<b>7. Objective and rationale, including the nature of urgent problems where applicable:</b>	Protection of the environment
<b>8. Relevant documents:</b>	<p>90 Federal Register (FR) 3734, 15 January 2025; <a href="#">Title 40 Code of Federal Regulations (CFR) Part 60</a>:</p> <p><a href="https://www.govinfo.gov/content/pkg/FR-2025-01-15/html/2024-31227.htm">https://www.govinfo.gov/content/pkg/FR-2025-01-15/html/2024-31227.htm</a></p> <p><a href="https://www.govinfo.gov/content/pkg/FR-2025-01-15/pdf/2024-31227.pdf">https://www.govinfo.gov/content/pkg/FR-2025-01-15/pdf/2024-31227.pdf</a></p> <p>This proposed rule is identified by Docket Number EPA-HQ-OAR-2024-0358. The Docket Folder is available on Regulations.gov at <a href="https://www.regulations.gov/docket/EPA-HQ-OAR-2024-0358/document">https://www.regulations.gov/docket/EPA-HQ-OAR-2024-0358/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 3 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> <p>Previous actions notified under the symbol <a href="#">G/TBT/N/USA/1802</a> are identified by Docket Number EPA-HQ-OAR-2021-0317. The Docket Folder is available on Regulations.gov at <a href="https://www.regulations.gov/docket/EPA-HQ-OAR-2021-0317/document">https://www.regulations.gov/docket/EPA-HQ-OAR-2021-0317/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.</p>
<b>9. Proposed date of adoption:</b>	To be determined
<b>Proposed date of entry into force:</b>	To be determined
<b>10. Final date for comments:</b>	3 March 2025; Comments must be received on or before 3 March 2025. If anyone contacts EPA to request a public hearing on or before 20 January 2025, EPA will hold a virtual public hearing.
<b>11. Texts available from: National enquiry point [ ] or address, telephone or fax numbers and email and website addresses, if available, of other body:</b>	<p><a href="https://members.wto.org/crnattachments/2025/TBT/USA/25_00695_00_e.pdf">https://members.wto.org/crnattachments/2025/TBT/USA/25_00695_00_e.pdf</a></p>