



29 September 2017

(17-5221)

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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

<b>1. Notifying Member:</b> <u>UNITED STATES OF AMERICA</u> <b>If applicable, name of local government involved (Article 3.2 and 7.2):</b>
<b>2. Agency responsible:</b> Environmental Protection Agency (EPA) [1327] <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 [ ], 5.7.1 [ ], 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> Chemical substances Products of the chemical industry (ICS 71.100).
<b>5. Title, number of pages and language(s) of the notified document:</b> Significant New Use Rules on Certain Chemical Substances (37 substances) (21 page(s), in English)
<b>6. Description of content:</b> EPA is promulgating significant new use rules (SNURs) under the Toxic Substances Control Act (TSCA) for 37 chemical substances which were the subject of premanufacture notices (PMNs). The applicable review periods for the PMNs submitted for these 37 chemical substances all ended prior to 22 June 2016 (i.e., the date on which President Obama signed into law the Frank R. Lautenberg Chemical Safety for the 21 <sup>st</sup> Century Act which amends TSCA). Six of these chemical substances are subject to TSCA section 5(e) consent orders issued by EPA. This action requires persons who intend to manufacture (defined by statute to include import) or process any of these 37 chemical substances for an activity that is designated as a significant new use by this rule to notify EPA at least 90 days before commencing that activity. The required notification initiates EPA's evaluation of the intended use within the applicable review period. Manufacture and processing for the significant new use is unable to commence until EPA has conducted a review of the notice, made an appropriate determination on the notice, and take such actions as are required with that determination.
<b>7. Objective and rationale, including the nature of urgent problems where applicable:</b> Protection of the environment
<b>8. Relevant documents:</b> 82 Federal Register (FR) 44079, 21 September 2017; Title 40 Code of Federal Regulations (CFR) Parts 9 and 721. Will appear in the Federal Register when adopted.
<b>9. Proposed date of adoption:</b> 20 November 2017 <b>Proposed date of entry into force:</b> 20 November 2017

**10. Final date for comments:** 23 October 2017

**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/2017/TBT/USA/17\\_4374\\_00\\_e.pdf](https://members.wto.org/crnattachments/2017/TBT/USA/17_4374_00_e.pdf)