



24 August 2021

(21-6396)

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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> Office of Energy Efficiency and Renewable Energy, Department of Energy  <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 [ ], 2.10.1 [ ], 5.6.2 [ ], 5.7.1 [ ], other [X]:</b>
<b>4. Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):</b> Test procedure interim waiver process; Test conditions and procedures in general (ICS 19.020)
<b>5. Title, number of pages and language(s) of the notified document:</b> Test Procedure Interim Waiver Process (11 page(s), in English)
<b>6. Description of content:</b> Notice of proposed rulemaking and request for comment - The U.S. Department of Energy ("DOE" or the "Department") proposes to revise the Department's test procedure interim waiver process. The proposed revisions address areas of the test procedure interim waiver process regulations that may result in alternate test procedures that are inconsistent with the purpose and requirements of the Energy Policy and Conservation Act ("EPCA"), and that otherwise appear not to effectuate the statute properly.
<b>7. Objective and rationale, including the nature of urgent problems where applicable:</b> Cost saving and productivity enhancement
<b>8. Relevant documents:</b> 86 Federal Register (FR) 46793, 20 August 2021; Title 10 Code of Federal Regulations (CFR) Parts 430 and 431: <a href="https://www.govinfo.gov/content/pkg/FR-2021-08-20/html/2021-16341.htm">https://www.govinfo.gov/content/pkg/FR-2021-08-20/html/2021-16341.htm</a> <a href="https://www.govinfo.gov/content/pkg/FR-2021-08-20/pdf/2021-16341.pdf">https://www.govinfo.gov/content/pkg/FR-2021-08-20/pdf/2021-16341.pdf</a>  This notice of proposed rulemaking and request for comment and previous actions notified under the symbol <a href="https://www.wto.org/Trade-Disputes/Dispute-Settlement/Dispute-Settlement-Details.htm?dispute=G/TBT/N/USA/1491">G/TBT/N/USA/1491</a> are identified by Docket Number EERE-2019-BT-NOA-0011. The Docket Folder is available on Regulations.gov at <a href="https://www.regulations.gov/docket/EERE-2019-BT-NOA-0011/document">https://www.regulations.gov/docket/EERE-2019-BT-NOA-0011/document</a> and provides access to primary and supporting documents as well as comments received. Documents are also accessible from <a href="https://www.regulations.gov">Regulations.gov</a> by searching the Docket Number. WTO Members and their stakeholders are asked to submit comments to the <a href="mailto:usatbtep@nist.gov">USA TBT Enquiry Point</a> .

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 <a href="#">Docket</a> on Regulations.gov if received within the comment period.	
<b>9.</b>	<b>Proposed date of adoption:</b> To be determined <b>Proposed date of entry into force:</b> To be determined
<b>10.</b>	<b>Final date for comments:</b> 20 September 2021
<b>11.</b>	<b>Texts available from: National enquiry point [ ] or address, telephone or fax numbers and email and website addresses, if available, of other body:</b> <a href="https://members.wto.org/crnattachments/2021/TBT/USA/21_5364_00_e.pdf">https://members.wto.org/crnattachments/2021/TBT/USA/21_5364_00_e.pdf</a>