



### NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

<b>1. Notifying Member:</b> UNITED STATES OF AMERICA <b>If applicable, name of local government involved (Article 3.2 and 7.2):</b>
<b>2. Agency responsible:</b> Environmental Protection Agency (EPA) [1927] <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 [ ], 3.2 [ ], 7.2 [ ], other [X]:</b> This action updates the regulations to identify five per- and polyfluoroalkyl substances (PFAS) that must be reported pursuant to the National Defense Authorization Act for Fiscal Year 2020 (FY2020 NDAA) enacted on 20 December 2019.
<b>4. Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):</b> Per- and Polyfluoroalkyl Substances (PFAS); Environmental protection (ICS code(s): 13.020); Domestic safety (ICS code(s): 13.120); Production in the chemical industry (ICS code(s): 71.020); Products of the chemical industry (ICS code(s): 71.100)
<b>5. Title, number of pages and language(s) of the notified document:</b> Implementing Statutory Addition of Certain Per- and Polyfluoroalkyl Substances (PFAS) to the Toxics Release Inventory Beginning With Reporting Years 2021 and 2022; (5 page(s), in English)
<b>6. Description of content:</b> Final rule - The Environmental Protection Agency (EPA) is updating the list of chemicals subject to toxic chemical release reporting under the Emergency Planning and Community Right-to-Know Act (EPCRA) and the Pollution Prevention Act (PPA). Specifically, this action updates the regulations to identify five per- and polyfluoroalkyl substances (PFAS) that must be reported pursuant to the National Defense Authorization Act for Fiscal Year 2020 (FY2020 NDAA) enacted on 20 December 2019. As this action is being taken to conform the regulations to a Congressional legislative mandate, notice and comment rulemaking is unnecessary.
<b>7. Objective and rationale, including the nature of urgent problems where applicable:</b> Prevention of deceptive practices and consumer protection; Protection of the environment
<b>8. Relevant documents:</b> 87 Federal Register (FR) 42651, 18 July 2022; Title 40 Code of Federal Regulations (CFR) Part 372: <a href="https://www.govinfo.gov/content/pkg/FR-2022-07-18/html/2022-15268.htm">https://www.govinfo.gov/content/pkg/FR-2022-07-18/html/2022-15268.htm</a>

<https://www.govinfo.gov/content/pkg/FR-2022-07-18/pdf/2022-15268.pdf>

This final rule is identified by Docket Number EPA-HQ-TRI-2022-0453. The Docket Folder is available from Regulations.gov at <https://www.regulations.gov/docket/EPA-HQ-TRI-2022-0453/document> and provides access to primary and supporting documents as well as comments received. Documents are also accessible from [Regulations.gov](https://www.regulations.gov) by searching the Docket Number.

[G/TBT/N/USA/1552](#) - Addition of Certain Per- and Polyfluoroalkyl Substances; Community Right-to-Know Toxic Chemical Release Reporting identified by Docket Number [EPA-HQ-TRI-2019-0375](#).

**9. Proposed date of adoption:** 17 August 2022

**Proposed date of entry into force:** 17 August 2022

**10. Final date for comments:** Not Applicable

**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/2022/TBT/USA/22\\_4773\\_00\\_e.pdf](https://members.wto.org/crnattachments/2022/TBT/USA/22_4773_00_e.pdf)