NOTIFICATION

Revision

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

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| **1.** | **Notifying Member:** UNITED STATES OF AMERICA  **If applicable, name of local government involved (Articles 3.2 and 7.2):** |
| **2.** | **Agency responsible:**  Office of Energy Efficiency and Renewable Energy, Department of Energy  **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:**  Please submit comments to: USA WTO TBT Enquiry Point, Email: [usatbtep@nist.gov](mailto:usatbtep@nist.gov) |
| **3.** | **Notified under Article 2.9.2 [****X], 2.10.1 [****], 5.6.2 [****], 5.7.1 [****], 3.2 [****], 7.2 [****], other****:** |
| **4.** | **Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):** Commercial water heating equipment; Environmental protection (ICS code(s): 13.020); Domestic, commercial and industrial heating appliances (ICS code(s): 97.100) |
| **5.** | **Title, number of pages and language(s) of the notified document:** Energy Conservation Program: Energy Conservation Standards for Commercial Water Heating Equipment; (119 page(s), in English) |
| **6.** | **Description of content:** Notice of proposed rulemaking and announcement of public meeting - The Energy Policy and Conservation Act, as amended ("EPCA"), prescribes energy conservation standards for certain commercial and industrial equipment, including commercial water heaters, hot water supply boilers, and unfired hot water storage tanks (hereinafter referred to as "commercial water heating (CWH) equipment"). EPCA requires the U.S. Department of Energy ("DOE") to periodically determine whether more-stringent standards for CWH equipment would be technologically feasible and economically justified, and would result in significant energy savings. In this notice of proposed rulemaking ("NOPR"), DOE proposes to amend the standards for certain classes of CWH equipment for which DOE has tentatively determined there is clear and convincing evidence to support more-stringent standards. Additionally, DOE is proposing to codify standards for electric instantaneous CWH equipment from EPCA into the Code of Federal Regulations ("CFR"). DOE also announces a public meeting to receive comment on these proposed standards and the associated analyses and results. |
| **7.** | **Objective and rationale, including the nature of urgent problems where applicable:** Prevention of deceptive practices and consumer protection; Protection of the environment |
| **8.** | **Relevant documents:** 87 Federal Register (FR) 30610, 19 May 2022; Title 10 Code of Federal Regulations (CFR) Part 431:  <https://www.govinfo.gov/content/pkg/FR-2022-05-19/html/2022-10011.htm>  <https://www.govinfo.gov/content/pkg/FR-2022-05-19/pdf/2022-10011.pdf>  The Department of Energy will hold a public meeting via webinar on 23 June 2022, from [1:00 p.m. to 5:00 p.m.](http://time-time.net/times/time-zones/usa-canada/current-eastern-time-est.php) [Eastern Time](https://24timezones.com/time-zone/et). See section VII, "Public Participation," for webinar registration information, participant instructions and information about the capabilities available to webinar participants.  This notice of proposed rulemaking and announcement of public meeting is identified by Docket Number EERE-2021-BT-STD-0027. The Docket Folder is available from Regulations.gov at <https://www.regulations.gov/docket/EERE-2021-BT-STD-0027/document> and provides access to primary and supporting documents as well as comments received. Documents are also accessible from [Regulations.gov](http://www.regulations.gov/) by searching the Docket Number. WTO Members and their stakeholders are asked to submit comments to the [USA TBT Enquiry Point](mailto:usatbtep@nist.gov) by or before [4pm](http://time-time.net/times/time-zones/usa-canada/current-eastern-time-est.php) [Eastern Time](https://24timezones.com/time-zone/et) on 18 July 2022. 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 [Docket](https://www.regulations.gov/docket/EERE-2021-BT-STD-0027/document) on Regulations.gov if received within the comment period.  Previous actions notified under the symbol [G/TBT/N/USA/1133](https://eping.wto.org/en/Search?domainIds=1&documentSymbol=usa%2F1133&distributionDateTo=2022-05-01) are identified by Docket Number EERE-2014-BT-STD-0042. The Docket Folder is available on Regulations.gov at <https://www.regulations.gov/docket/EERE-2014-BT-STD-0042/document> and provides access to primary and supporting documents as well as comments received. Documents are also accessible from [Regulations.gov](http://www.regulations.gov/) by searching the Docket Number. |
| **9.** | **Proposed date of adoption:** To be determined  **Proposed date of entry into force:** To be determined |
| **10.** | **Final date for comments:** 18 July 2022 |
| **11.** | **Texts available from: National enquiry point [****] or address, telephone or fax numbers and email and website addresses, if available, of other body:**  <https://members.wto.org/crnattachments/2022/TBT/USA/22_3546_00_e.pdf> |