NOTIFICATION

Addendum

The following communication, dated 23 May 2022, is being circulated at the request of the delegation of the United States of America.

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**Title:** Protection of Stratospheric Ozone: Listing of Substitutes Under the Significant New Alternatives Policy Program

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| **Reason for Addendum:** |
| [ ] | Comment period changed - date:  |
| [ ] | Notified measure adopted - date:  |
| [ ] | Notified measure published - date:  |
| [ ] | Notified measure enters into force - date:  |
| [ ] | Text of final measure available from[[1]](#footnote-1):  |
| [ ] | Notified measure withdrawn or revoked - date: Relevant symbol if measure re-notified:  |
| [ ] | Content or scope of notified measure changed and text available from1: New deadline for comments (if applicable):  |
| [ ] | Interpretive guidance issued and text available from1:  |
| [X] | Other: The U.S. EPA is withdrawing the proposed rule published on 6 October 2021 (86 FR 55549; FRL-7826.1-02-OAR); and is partially withdrawing the proposed rule published on 12 June 2020 (85 FR 35874; FRL-10009-66-OAR), by withdrawing the listings described in the table ("SUMMARY OF PROPOSED NEW LISTINGS FOR XPS FOAM BLOWING AGENT") published at 85 FR 35888-35889 on 12 June 2020, as of 20 May 2022.<https://www.govinfo.gov/content/pkg/FR-2022-05-20/html/2022-10853.htm><https://www.govinfo.gov/content/pkg/FR-2022-05-20/pdf/2022-10853.pdf><https://members.wto.org/crnattachments/2022/TBT/USA/22_3626_00_e.pdf> |

**Description:** TITLE: Protection of Stratospheric Ozone: Listing of Substitutes Under the Significant New Alternatives Policy Program; Withdrawal of Proposed Rule

AGENCY: Environmental Protection Agency (EPA)

ACTION: Proposed rule; withdrawal and partial withdrawal

SUMMARY: On 6 October 2021, the U.S. Environmental Protection Agency issued a supplemental proposed rulemaking under the Significant New Alternatives Policy program to list certain substitutes to ozone- depleting substances in the foam blowing sector, extruded polystyrene: Boardstock and billet end-use, as acceptable, subject to narrowed use limits, from the effective date of a subsequent final rule until 1 January 2023. This followed EPA's 12 June 2020, initial proposal which proposed to list three foam blowing agents, which are hydrofluorocarbon blends, as acceptable. Taking into consideration information available to EPA since issuance of that initial proposal, EPA proposed narrowed use limits and time-limited use of the substitutes in the supplemental proposal. Based on further information available to EPA, EPA is now withdrawing the proposed listings for the three foam blowing agents described in the initial and supplemental proposals. This document summarizes the proposed listings and provides an explanation for the Agency's decision not to finalize the proposed actions.

DATES: The U.S. EPA is withdrawing the proposed rule published on 6 October 2021 (86 FR 55549; FRL-7826.1-02-OAR); and is partially withdrawing the proposed rule published on 12 June 2020 (85 FR 35874; FRL-10009-66-OAR), by withdrawing the listings described in the table ("SUMMARY OF PROPOSED NEW LISTINGS FOR XPS FOAM BLOWING AGENT") published at 85 FR 35888-35889 on 12 June 2020, as of 20 May 2022.

This proposed rule; withdrawal and partial withdrawal and previous actions notified under the symbol [G/TBT/N/USA/1626](https://eping.wto.org/en/Search?domainIds=1&documentSymbol=USA%2F1626) are identified by Docket Number EPA-HQ-OAR-2019-0698. The Docket Folder is available on Regulations.gov at <https://www.regulations.gov/docket/EPA-HQ-OAR-2019-0698/document> and provides access to primary and supporting documents as well as comments received.

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1. This information can be provided by including a website address, a pdf attachment, or other information on where the text of the final/modified measure and/or interpretive guidance can be obtained. [↑](#footnote-ref-1)