NOTIFICATION

Addendum

The following communication, dated 6 October 2021, is being circulated at the request of the delegation of the United States of America.

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**Title:** Phasedown of Hydrofluorocarbons: Establishing the Allowance Allocation and Trading Program Under the American Innovation and Manufacturing Act

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| **Reason for Addendum:** |
| [  ] | Comment period changed - date:  |
| [  ] | Notified measure adopted - date:  |
| [X] | Notified measure published - date: 5 October 2021 |
| [X] | Notified measure enters into force - date: 4 November 2021 |
| [X] | Text of final measure available from[[1]](#footnote-1): <https://www.govinfo.gov/content/pkg/FR-2021-10-05/html/2021-21030.htm><https://www.govinfo.gov/content/pkg/FR-2021-10-05/pdf/2021-21030.pdf><https://members.wto.org/crnattachments/2021/TBT/USA/final_measure/21_6423_00_e.pdf> |
| [  ] | Notified measure withdrawn or revoked - date: Relevant symbol if measure re-notified:  |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:  |
| [  ] | Other:  |

**Description:** TITLE: Phasedown of Hydrofluorocarbons: Establishing the Allowance Allocation and Trading Program Under the American Innovation and Manufacturing Act

AGENCY: Environmental Protection Agency (EPA)

ACTION: Final rule

SUMMARY: The Environmental Protection Agency is issuing regulations to implement certain provisions of the American Innovation and Manufacturing Act, as enacted on 27 December 2020. This Act mandates the phasedown of hydrofluorocarbons, which are highly potent greenhouse gases, by 85 percent over a period ending in 2036. The Act directs the Environmental Protection Agency to implement the phasedown by issuing a fixed quantity of transferrable production and consumption allowances, which producers and importers of hydrofluorocarbons must hold in quantities equal to the amount of hydrofluorocarbons they produce or import. To establish the allowance allocation program, this rulemaking determines the hydrofluorocarbon production and consumption baselines, from which allowed production and consumption will decrease consistent with the statutory phasedown schedule; provides an initial approach to allocating calendar-year allowances and allowing for the transfer of those allowances; establishes provisions for the international transfer of allowances; and establishes recordkeeping and reporting requirements. Additionally, it establishes provisions to support implementation, compliance with, and enforcement of, statutory and regulatory requirements under the Act's phasedown provisions. Over the time period from 2022-2050, this rulemaking will avoid cumulative emissions of 4,560 million metric tons of exchange value equivalent of HFCs in the United States with a present value of cumulative net benefits of $272.7 billion.

DATES: Effective dates: This rule is effective on 4 November 2021, except for amendatory instruction 3 adding 40 CFR part 84, which is effective on 5 October 2021.

Operational dates: For operational purposes under the American Innovation and Manufacturing Act of 2020 (AIM Act or the Act), the regulatory text established in amendatory instruction 3, is operational as of 23 September 2021, and effective as of 5 October 2021. The remainder of this rule, and its associated regulatory text outlined in amendatory instructions 1, 2, and 4 through 10, is effective 4 November 2021.

This final rule and the proposed rule notified as [G/TBT/N/USA/1735](http://tbtims.wto.org/en/Notifications/Search?ProductsCoveredHSCodes=&ProductsCoveredICSCodes=&DoSearch=True&ExpandSearchMoreFields=False&NotifyingMember=&DocumentSymbol=usa%2F1735&DistributionDateFrom=&DistributionDateTo=&SearchTerm=&ProductsCovered=&DescriptionOfContent=&CommentPeriod=&FinalDateForCommentsFrom=&FinalDateForCommentsTo=&ProposedDateOfAdoptionFrom=&ProposedDateOfAdoptionTo=&ProposedDateOfEntryIntoForceFrom=&ProposedDateOfEntryIntoForceTo=&ReasonForAddendum=) are identified by Docket Number EPA-HQ-OAR-2021-0044. The Docket Folder is available on Regulations.gov at <https://www.regulations.gov/docket/EPA-HQ-OAR-2021-0044/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.

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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)