NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

|  |  |
| --- | --- |
| **1.** | **Notifying Member:** United States of America  **If applicable, name of local government involved (Article 3.2 and 7.2):** |
| **2.** | **Agency responsible:** Office of Energy Efficiency and Renewable Energy (OEERE), Department of Energy (DOE) [1872]  **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 [****],** **other****:** |
| **4.** | **Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):** Computer room air conditioners (CRACs); Environmental protection (ICS 13.020), Ventilators. Fans. Air-conditioners (ICS 23.120) |
| **5.** | **Title, number of pages and language(s) of the notified document:** Energy Conservation Program: Energy Conservation Standards for Computer Room Air Conditioners (50 page(s), in English) |
| **6.** | **Description of content:** Notice of proposed rulemaking and request for comment - The Energy Policy and Conservation Act, as amended (EPCA), prescribes energy conservation standards for various consumer products and certain commercial and industrial equipment, including small, large, and very large commercial package air conditioning and heating equipment, of which computer room air conditioners (CRACs) are a category. EPCA requires the U.S. Department of Energy (DOE or the Department) to consider the need for amended standards each time the relevant industry standard is amended with respect to the standard levels or design requirements applicable to that equipment, or periodically under a six-year-lookback review provision. In this document, DOE is proposing amended energy conservation standards for CRACs that rely on a new efficiency metric and are equivalent to those levels specified in the industry standard. DOE has preliminarily determined that it lacks the clear and convincing evidence required by the statute to adopt standards more stringent than the levels specified in the industry standard. This document also announces a public meeting webinar (to be held 13 April 2022) to receive comment on these proposed standards and 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) 12802, 7 March 2022; Title 10 Code of Federal Regulations (CFR) Part 431: <https://www.govinfo.gov/content/pkg/FR-2022-03-07/html/2022-04151.htm> <https://www.govinfo.gov/content/pkg/FR-2022-03-07/pdf/2022-04151.pdf>  This notice of proposed rulemaking and request for comment is identified by Docket Number EERE-2020-BT-STD-0008. The Docket Folder is available from Regulations.gov at <https://www.regulations.gov/docket/EERE-2020-BT-STD-0008/document> and provides access to primary 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 6 May 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-2020-BT-STD-0008/document) on Regulations.gov if received within the comment period.  Meeting: DOE will hold a public meeting via webinar on Wednesday, 13 April 2022, from [1:00 p.m. to 4:00 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.  [G/TBT/N/USA/1659](https://docs.wto.org/imrd/directdoc.asp?DDFDocuments/t/G/TBTN20/USA1659.DOCX) - Energy Conservation Program: Energy Conservation Standards for Computer Room Air Conditioners and Air-Cooled, Three-Phase, Small Commercial Package Air Conditioning and Heating Equipment With a Cooling Capacity of Less Than 65,000 Btu/h; [Notification of data availability and request for information](https://www.govinfo.gov/content/pkg/FR-2020-09-25/html/2020-18778.htm) published 25 September 2020 identified by [EERE-2020-BT-STD-0008](https://www.regulations.gov/docket/EERE-2020-BT-STD-0008/document). |
| **9.** | **Proposed date of adoption:** To be determined  **Proposed date of entry into force:** To be determined |
| **10.** | **Final date for comments:** 6 May 2022 |
| **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_2018_00_e.pdf> |