NOTIFICATION

Addendum

The following communication, dated 21 November 2023, is being circulated at the request of the delegation of the United States of America.

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**Title:** New Source Performance Standards Review for Secondary Lead Smelters

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| **Reason for Addendum:** | |
| [ ] | Comment period changed - date: |
| [ ] | Notified measure adopted - date: |
| [X] | Notified measure published - date: 20 November 2023 |
| [X] | Notified measure enters into force - date: 20 November 2023 |
| [X] | Text of final measure available from[[1]](#footnote-1):  88 Federal Register (FR) 59481, 40 Code of Federal Regulations (CFR) Part 60:  <https://www.govinfo.gov/content/pkg/FR-2023-11-20/html/2023-25275.htm>  <https://www.govinfo.gov/content/pkg/FR-2023-11-20/pdf/2023-25275.pdf>  <https://members.wto.org/crnattachments/2023/TBT/USA/final_measure/23_13625_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| [ ] | Notified measure withdrawn or revoked - date:  Relevant symbol if measure re-notified: |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:** The Environmental Protection Agency (EPA) is finalizing amendments to the new source performance standards (NSPS) for secondary lead smelters pursuant to the periodic review required by the [Clean Air Act (CAA)](https://www.epa.gov/laws-regulations/summary-clean-air-act). Specifically, the EPA is finalizing revisions to the NSPS that applies to affected secondary lead smelters constructed, reconstructed, or modified after 1 December 2022 (NSPS subpart La). The EPA is also finalizing amendments to the NSPS for secondary lead smelters constructed, reconstructed, or modified after 11 June 1973, and on or before 1 December 2022, (NSPS subpart L). In addition, we are finalizing the use of [EPA Method 22](https://www.epa.gov/emc/method-22-visual-determination-fugitive-emissions) (Visual Determination of Fugitive Emissions from Material Sources and Smoke Emissions from Flares) as an alternative for demonstrating compliance with the opacity limit.

This final rule is effective on 20 November 2023. The incorporation by reference (IBR) of certain publications listed in the rule is approved by the Director of the Federal Register as of 20 November 2023.

[Title 40 Code of Federal Regulations (CFR) Part 60](https://www.ecfr.gov/current/title-40/chapter-I/subchapter-C/part-60?toc=1)

This final rule and previous actions notified under the symbol [G/TBT/N/USA/1947](https://eping.wto.org/en/Search?domainIds=1&documentSymbol=usa%2F1947) are identified by Docket Number EPA-HQ-OAR-2022-0481. The Docket Folder is available on Regulations.gov at <https://www.regulations.gov/docket/EPA-HQ-OAR-2022-0481/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)