NOTIFICATION

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 (Article 3.2 and 7.2):** |
| **2.** | **Agency responsible:**  Bureau of Ocean Energy Management (BOEM), Department of Interior (DOI) [1997]  **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 [****X],** **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):** Renewable energy regulations; Quality (ICS code(s): 03.120); Environmental protection (ICS code(s): 13.020); Wind turbine energy systems (ICS code(s): 27.180) |
| **5.** | **Title, number of pages and language(s) of the notified document:** Renewable Energy Modernization Rule; (85 page(s), in English) |
| **6.** | **Description of content:** Notice of proposed rulemaking - The first Outer Continental Shelf (OCS) renewable energy regulations were promulgated in 2009 by BOEM's predecessor, the Minerals Management Service (MMS). BOEM's renewable energy program has matured over the past 13 years, during which time BOEM conducted eleven auctions and issued and managed 27 active commercial leases. Based on this experience, the Department has identified opportunities to modernize its regulations to facilitate the development of offshore wind energy resources to meet U.S. climate and renewable energy objectives. This proposed rule contains reforms identified by the Department and recommended by industry since 2010, including proposals for incremental funding of decommissioning accounts; more flexible geophysical and geotechnical survey submission requirements; streamlined approval of meteorological (met) buoys; revised project verification procedures; reform of BOEM's renewable energy auction process; and greater clarity regarding safety requirements. This proposed rule would advance the Department of the Interior's (DOI) energy policies in a safe and environmentally sound manner that would provide a fair return to the U.S. taxpayer. |
| **7.** | **Objective and rationale, including the nature of urgent problems where applicable:** Protection of human health or safety; Protection of the environment; Quality requirements |
| **8.** | **Relevant documents:**  88 Federal Register (FR) 5968, 13 February 2023; Title 30 Code of Federal Regulations (CFR) Part 585:  <https://www.govinfo.gov/content/pkg/FR-2023-01-30/html/2023-00668.htm>  <https://www.govinfo.gov/content/pkg/FR-2023-01-30/pdf/2023-00668.pdf>  This notice of proposed rulemaking is identified by Docket Number BOEM-2023-0005. The Docket Folder is available on Regulations.gov at <https://www.regulations.gov/docket/BOEM-2023-0005/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). Comments received by the USA TBT Enquiry Point from WTO Members and their stakeholders by [4pm](http://time-time.net/times/time-zones/usa-canada/current-eastern-time-est.php) [Eastern Time](https://24timezones.com/time-zone/et) on 31 March 2023 will be shared with the regulator and will also be submitted to the [Docket](https://www.regulations.gov/docket/BOEM-2023-0005/document) on Regulations.gov if received within the comment period.  Renewable Energy Modernization Rule; Proposed Rule Correction clarifying that the proposed rule's Docket Number is BOEM-2023-0005, published 6 February 2023:  <https://www.govinfo.gov/content/pkg/FR-2023-02-06/html/2023-02398.htm>  <https://www.govinfo.gov/content/pkg/FR-2023-02-06/pdf/2023-02398.pdf> |
| **9.** | **Proposed date of adoption:** To be determined  **Proposed date of entry into force:** To be determined |
| **10.** | **Final date for comments:** 31 March 2023 |
| **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/2023/TBT/USA/23_1076_00_e.pdf> |