

Subject: USA TBT Enquiry Point Passing Along Request from China to Extend the Comment Deadline, from May 26 to July 2 2023, on Delaware's Proposed Rule DOCKET # 2022-R-A-0011 on the Low Emission Vehicle Program [USA WTO Notification G/TBT/N/USA/1986]

Date: Monday, May 22, 2023 at 3:52:18 PM Eastern Daylight Time

From: Hogan, MaryAnn G. (Fed)

To: Englert, Taylor (DNREC), Krall, Kyle (DNREC), HearingComments, DNREC (MailBox Resources), Newman, Theresa L (DNREC)

CC: Petersen, Thor J. EOP/USTR, Manseau, Gwenann S. EOP/USTR, Loke, Yue Heng EOP/USTR, Strickler, J. Sloane S. EOP/USTR, Ferland, Henry, Emdur, Zoe (she/her/hers), usatbtep

Attachments: usa1986.docx, Request for Extension of the Comment Deadline to 7/3/23 on 1140 Delaware Low Emission Vehicle Program, DOCKET # 2022-R-A-0011;
<https://regulations.delaware.gov/register/april2023/proposed/26%20DE%20Reg%20823%2004-01-23.htm.eml>

Dear Colleagues in Delaware's Department of Natural Resources and Environmental Control, Division of Air Quality,

Please see below a request received earlier today (5/22) from China to extend the comment deadline from May 26, 2023 to July 2 (3), 2023, on Delaware's proposed rule identified by Docket Number 2022-R-A-0011: <https://regulations.delaware.gov/register/april2023/proposed/26%20DE%20Reg%20823%2004-01-23.htm>.

We understand Delaware will accept public comments through Thursday, May 26, 2023, in written form via email to DNRECHearingComments@delaware.gov, or by using the online form at <https://de.gov/dnreccomments>.

I used the online form to transmit the request below on behalf of China to extend the comment deadline; a copy of the submission is attached for reference, and it may duplicate existing correspondence you received from us.

Is it possible for Delaware to extend the comment deadline?

Please forward this correspondence to any other appropriate contact(s) for follow up and possible response if not already included in this message.

The proposed rule was notified by my office to the World Trade Organization under the Agreement on Technical Barriers to Trade (WTO TBT Agreement). [G/TBT/N/USA/1986](#) is the notification symbol, similar to a reference number or Docket ID, assigned to this action by the Committee on Technical Barriers to Trade (TBT) at the World Trade Organization (WTO TBT Committee), to which we are obligated to submit certain U.S. proposed rules and related actions that could affect international trading partners.

A basic overview of the notification of certain regulatory actions by the USA to the WTO TBT Committee is available at <https://www.nist.gov/standardsgov/usa-wto-tbt-enquiry-point>.

Please contact us if you have any questions or if you need additional information, and please also confirm receipt of this message as well as China's request for an extension of the comment deadline. Apologies if you are receiving this message in error.

Thank you,

MaryAnn Hogan
USA WTO TBT Enquiry Point
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From: TBT国家咨询点 <tbt@customs.gov.cn>
Sent: Monday, May 22, 2023 12:28 AM
To: usatbtep <usatbtep@nist.gov>
Cc: bizhonglin <bizhonglin@126.com>
Subject: Consultations on the United States' notification G/TBT/N/USA/1986 (China Requests Extension of the Comment Period, from 26 May to 2 July 2023, on USA WTO Notification G/TBT/N/USA/1986- Low Emission Vehicle Program)

Dear USA WTO/TBT Enquiry Point,

On May.2, 2023, USA notified the G/TBT/N/USA/1986 regarding “Low Emission Vehicle Program”. However, USA provides a comment deadline of 26 May 2023. Article 2.9.4 of the TBT Agreement stipulates that Members shall without discrimination; allow reasonable time for other Members to make comments in writing. Given the complexity of the measure, the People’s Republic of China needs more time to review it and to prepare comments. May we therefore please have a 30 day extension of the comment period, until 2 July 2023?

Thank you very much for your consideration of this request.
Your formal reply will be appreciated.

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Best regards,

WTO/TBT National Notification and Enquiry Center of the People's Republic of China
E-mail: tbt@customs.gov.cn