

Environmental Protection Agency

§ 750.11

which has not previously been listed in a FEDERAL REGISTER document, and

- (2) The effective date of the rule.
- (b) [Reserved]

APPENDIX A TO SUBPART A OF PART 750

To assist in reading the regulations set forth above, this appendix sets forth the principal stages through which rules promulgated under section 6 of TSCA will pass.

The second column gives the relationship that one date bears to another whenever that relationship is specified in the regulations, and cites the governing provision. The third column contains estimates of the time that a typical rulemaking is likely to require to reach and complete each stage of these proceedings. In drawing up this third column, we have assumed that 60 days will be allowed for the submission of main comments; that the legislative phase of the informal hearing will take two weeks, and that cross-examination will take four days. Since these are only estimates, in any given rulemaking shorter or longer times may actually be required for each of these stages.

| Stage | Timing in relation to other stages | Estimated total time elapsed (days) |
|--|---|-------------------------------------|
| Proposed regulation | Sec. 750.2. | |
| Requests to participate in informal hearing due. | 3 weeks prior to beginning of hearing (§ 750.2(a)). | 53 |
| Main comments due | 2 weeks prior to beginning of hearing (§ 750.2(c)(3)). | 60 |
| Begin informal hearing. | | 74 |
| End legislative hearing. | | 88 |
| Requests for cross-examination due. | 1 week after end of legislative hearing (§ 750.8(a)). | 95 |
| Ruling on cross-examination requests. | 1 week after requests are due (§ 750.8(b)). | 102 |
| Cross-examination begins. | 1 week after ruling on cross-examination requests (§ 750.8(c)). | 109 |
| Cross-examination ends; informal hearing ends. | | 113 |
| Reply comments due | 2 weeks after end of informal hearing (§ 750.4(b)). | 127 |

Subpart B—Interim Procedural Rules for Manufacturing Exemptions

SOURCE: 43 FR 50905, Nov. 1, 1978, unless otherwise noted.

§ 750.10 Applicability.

Sections 750.10–750.21 apply to all rulemakings under authority of section

6(e)(3)(B) of the Toxic Substances Control Act (TSCA), 15 U.S.C. 2605(e)(3)(B) with respect to petitions filed pursuant to § 750.11(a) of this part.

§ 750.11 Filing of petitions for exemption.

(a) *Who may file.* Any person seeking an exemption from the PCB manufacturing ban imposed by section 6(e)(3)(A) of TSCA may file a petition for exemption. Petitions must be submitted on an individual basis for each manufacturer or individual affected by the 1979 manufacturing ban.

(b) *Where to file.* All petitions pertaining to:

(1) PCB use, which includes storage for use or reuse, manufacture, processing related to manufacture and use, and distribution in commerce related to use or processing for use, must be submitted to: OPPT Document Control Officer (7407T), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460–0001.

(2) PCB disposal, which includes cleanup, storage for disposal, processing related to disposal, distribution in commerce related to disposal or processing for disposal, and decontamination, must be submitted to: Document Control Officer, Office of Resource Conservation and Recovery (5305P), Environmental Protection Agency, 1200 Pennsylvania, NW., Washington, DC 20460–0001.

(c) *Content of petition.* Each petition shall contain the following:

(1) Name, address and telephone number of petitioner.

(2) Description of PCB ban exemption requested, including items to be manufactured and nature of manufacturing process—such as smelting.

(3) Location(s) of manufacturing sites requiring exemption.

(4) Length of time requested for exemption (maximum length of exemption is 1 year).

(5) Amount of PCB chemical substance or PCB mixture (by pounds and/or volume) to be manufactured or used during requested exemption period and the manner of release of PCB's into the environment associated with such manufacture or use.

(6) The basis for the petitioner's contention that under section 6(e)(3)(B)(i)