

Environmental Protection Agency

Pt. 750, Subpt. A, App. A

(c) Within one week after the insertion into the record of the ruling under paragraph (b) of this section, the hearing at which the cross-examination will be conducted shall commence. One or more members of the original panel shall preside for the Agency. The panel shall have authority to conduct cross-examination on behalf of any participant, although as a general rule this right will not be exercised. The panel shall also have authority to modify the governing ruling in any respect and to make new rulings on group representation under section 6(c)(3)(C) of TSCA. A verbatim transcript of the hearing shall be made.

(d)(1) No later than the time set for requesting cross-examination, a hearing participant may request that other alternative methods of clarifying the record (such as informal conferences or the submittal of additional information) be used. Such requests may be submitted either in lieu of cross-examination requests, or in conjunction with them.

(2) The panel in passing on a cross-examination request may as a precondition to ruling on its merits require that alternative means of clarifying the record be used whether or not that has been requested under paragraph (d)(1) of this section. In such a case the results of the use of such alternative means shall be made available to the person requesting cross-examination of a one-week comment period, and the panel shall make a final ruling on cross-examination within one week thereafter.

(e) Waivers or extensions of any deadline in this section applicable to persons other than EPA may be granted on the record of the hearing by the person chairing it or in writing by the Record and Hearing Clerk.

§ 750.9 Final rule.

(a) As soon as feasible after the deadline for submittal of reply comments, the Agency shall issue a final rule. Final versions of the statements required by paragraph (b) of § 750.2 shall be published in the FEDERAL REGISTER together with the final rule. The Agency shall also publish at that time:

(1) A list of all material added to the record (other than public comments

and material from the hearing record) 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.