(1) Test data or other information obtained by EPA provide a reasonable basis for concluding that activities designated as significant new uses of the microorganism will not present an unreasonable risk of injury to health or the environment.

(2) EPA has promulgated a rule under section 4 or 6 of the Act, or EPA or another agency has taken action under another law, for the microorganism that eliminates the need for significant new use notification under section 5(a)(2) of the Act.

(3) EPA has received MCANs for some or all of the activities designated as significant new uses of the microorganism and, after reviewing such MCANs, concluded that there is no need to require additional notice from persons who propose to engage in identical or similar activities.

(4) EPA has examined new information, or has reexamined the test data or other information supporting its finding under section 5(e)(1)(A)(ii)(I) of the Act and has concluded that a rational basis no longer exists for the findings that activities involving the microorganism may present an unreasonable risk of injury to health or the environment required under section 5(e)(1)(A) of the Act.

(5) Certain activities involving the microorganism have been designated as significant new uses pending the completion of testing, and adequate test data developed in accordance with applicable procedures and criteria have been submitted to EPA.

(b) *Procedures for limitation or revocation.* Modification or revocation of significant new use notification requirements for a microorganism that has been added to subpart M of this part using the procedures described in § 725.980 may occur either at EPA's initiative or in response to a written request.

(1) Any affected person may request modification or revocation of significant new use notification requirements for a microorganism that has been added to subpart M of this part using the procedures described in § 725.980. The request must be accompanied by information sufficient to support the request. Persons submitting a request to EPA under this part must submit the request to EPA (via CDX) using e-PMN software. See 40 CFR 720.40(a)(2)(ii) for information on how to obtain e-PMN software. Support documents related to these requests must also be submitted to EPA via CDX using e-PMN software.

(2) The Director, or a designee, will consider the request, make a determination whether to initiate rulemaking to modify the requirements, and notify the requester of that determination by certified letter. If the request is denied, the letter will explain why EPA has concluded that the significant new use notification requirements for that microorganism should remain in effect.

(3) If EPA concludes that significant new use notification requirements for a microorganism should be limited or revoked, EPA will propose the changes in a notice in the FEDERAL REGISTER, briefly describe the grounds for the action, and provide interested parties an opportunity to comment.

[62 FR 17932, Apr. 11, 1997, as amended at 75 FR 790, Jan. 6, 2010; 78 FR 72828, Dec. 4, 2013]

Subpart M—Significant New Uses for Specific Microorganisms

§ 725.1000 Scope.

This subpart identifies uses of microorganisms which EPA has determined to be significant new uses under the authority of section 5(a)(2) of the Toxic Substances Control Act.

§ 725.1075 Burkholderia cepacia complex.

(a) *Microorganism and significant new uses subject to reporting.* (1) The microorganisms identified as the *Burkholderia cepacia* complex defined as containing the following nine species, *Burkholderia cepacia*, *Burkholderia multivorans*, *Burkholderia stabilis*, *Burkholderia vietnamiensis*, *Burkholderia ambifaria*, *Burkholderia pyrrocinia*, *Burkholderia cepacia* genomovar VIII (*Burkholderia anthina*), and *Burkholderia cepacia* genomovars III and VI are subject to reporting under this section for the significant new uses described in paragraph (a)(2) of this section.

(2) The significant new use is any use other than research and development in the degradation of chemicals via injection into subsurface groundwater.

(b) [Reserved]

[68 FR 35320, June 13, 2003]

PART 745—LEAD-BASED PAINT POISONING PREVENTION IN CERTAIN RESIDENTIAL STRUCTURES

Subparts A–C [Reserved]

Subpart D—Lead-Based Paint Hazards

745.61 Scope and applicability.
745.63 Definitions.
745.65 Lead-based paint hazards.

Subpart E—Residential Property Renovation

Sec.
745.80 Purpose.
745.81 Effective dates.
745.82 Applicability.
745.83 Definitions.
745.84 Information distribution requirements.
745.85 Work practice standards.
745.86 Recordkeeping and reporting requirements.
745.87 Enforcement and inspections.
745.88 Recognized test kits.
745.89 Firm certification.
745.90 Renovator certification and dust sampling technician certification.
745.91 Suspending, revoking, or modifying an individual's or firm's certification.
745.92 Fees for the accreditation of renovation and dust sampling technician training and the certification of renovation firms.

Subpart F—Disclosure of Known Lead-Based Paint and/or Lead-Based Paint Hazards Upon Sale or Lease of Residential Property

745.100 Purpose.
745.101 Scope and applicability.
745.102 Effective dates.
745.103 Definitions.
745.107 Disclosure requirements for sellers and lessors.
745.110 Opportunity to conduct an evaluation.
745.113 Certification and acknowledgment of disclosure.
745.115 Agent responsibilities.
745.118 Enforcement.
745.119 Impact on State and local requirements.

Subparts G–K [Reserved]

Subpart L—Lead-Based Paint Activities

745.220 Scope and applicability.
745.223 Definitions.
745.225 Accreditation of training programs: target housing and child-occupied facilities.
745.226 Certification of individuals and firms engaged in lead-based paint activities: target housing and child-occupied facilities.
745.227 Work practice standards for conducting lead-based paint activities: target housing and child-occupied facilities.
745.228 Accreditation of training programs: public and commercial buildings, bridges and superstructures. [Reserved]
745.229 Certification of individuals and firms engaged in lead-based paint activities: public and commercial buildings, bridges and superstructures. [Reserved]
745.230 Work practice standards for conducting lead-based paint activities: public and commercial buildings, bridges and superstructures. [Reserved]
745.233 Lead-based paint activities requirements.
745.235 Enforcement.
745.237 Inspections.
745.238 Fees for accreditation and certification of lead-based paint activities.
745.239 Effective dates.

Subparts M–P [Reserved]

Subpart Q—State and Indian Tribal Programs

745.320 Scope and purpose.
745.323 Definitions.
745.324 Authorization of State or Tribal programs.
745.325 Lead-based paint activities: State and Tribal program requirements.
745.326 Renovation: State and Tribal program requirements.
745.327 State or Indian Tribal lead-based paint compliance and enforcement programs.
745.339 Effective date.

AUTHORITY: 15 U.S.C. 2605, 2607, 2681–2692 and 42 U.S.C. 4852d.

SOURCE: 61 FR 9085, Mar. 6, 1996, unless otherwise noted.

Subparts A–C [Reserved]

Subpart D—Lead-Based Paint Hazards

SOURCE: 66 FR 1237, Jan. 5, 2001, unless otherwise noted.