

(3) A person may assert a claim of confidentiality for any information submitted to EPA in connection with this rule. Any claim of confidentiality must accompany the information when submitted to EPA. Persons claiming information as confidential should do so by circling, bracketing, or underlining it and marking it with “CONFIDENTIAL.” EPA will disclose information subject to a claim of confidentiality only to the extent permitted by section 14 of TSCA and 40 CFR part 2, subpart B. If a person does not assert a claim of confidentiality for information at the time it is submitted to EPA, EPA may make the information public without further notice to that person.

(j) *Enforcement.* (1) Failure to comply with any provision of this section is a violation of section 15 of the Act (15 U.S.C. 2614).

(2) Failure or refusal to establish and maintain records or to permit access to or copying of records, as required by the Act, is a violation of section 15 of the Act (15 U.S.C. 2614).

(3) Failure or refusal to permit entry or inspection as required by section 11 of the Act (15 U.S.C. 2610) is a violation of section 15 of the Act (15 U.S.C. 2614).

(4) Violators may be subject to the civil and criminal penalties in section 16 of the Act (15 U.S.C. 2615) for each violation.

(k) *Inspections.* EPA will conduct inspections under section 11 of the Act (15 U.S.C. 2610) to ensure compliance with this section.

[55 FR 240, Jan. 3, 1990, as amended at 59 FR 42773, Aug. 19, 1994]

PART 750—PROCEDURES FOR RULE- MAKING UNDER SECTION 6 OF THE TOXIC SUBSTANCES CON- TROL ACT

Subpart A—Procedures for Rulemaking Under Section 6 of the Toxic Sub- stances Control Act

Sec.	
750.1	Applicability.
750.2	Notice of proposed rulemaking.
750.3	Record.
750.4	Public comments.
750.5	Subpoenas.
750.6	Participation in informal hearing.
750.7	Conduct of legislative hearing.

750.8	Cross-examination.
750.9	Final rule.

APPENDIX A TO SUBPART A

Subpart B—Interim Procedural Rules for Manufacturing Exemptions

750.10	Applicability.
750.11	Filing of petitions for exemption.
750.12	Consolidation of rulemakings.
750.13	Notice of proposed rulemaking.
750.14	Record.
750.15	Public comments.
750.16	Confidentiality.
750.17	Subpoenas.
750.18	Participation in informal hearing.
750.19	Conduct of informal hearing.
750.20	Cross-examination.
750.21	Final rule.

Subpart C—Interim Procedural Rules for Processing and Distribution in Com- merce Exemptions

750.30	Applicability.
750.31	Filing of petitions for exemption.
750.32	Consolidation of rulemaking.
750.33	Notice of proposed rulemaking.
750.34	Record.
750.35	Public comments.
750.36	Confidentiality.
750.37	Subpoenas.
750.38	Participation in informal hearing.
750.39	Conduct of informal hearing.
750.40	Cross-examination.
750.41	Final rule.

AUTHORITY: 15 U.S.C. 2605.

Subpart A—Procedures for Rule- making Under Section 6 of the Toxic Substances Control Act

SOURCE: 42 FR 61259, Dec. 2, 1977, unless otherwise noted.

§ 750.1 Applicability.

This part applies to all rulemakings under authority of section 6 of the Toxic Substances Control Act (TSCA), 15 U.S.C. 2605.

§ 750.2 Notice of proposed rulemaking.

(a) Each rulemaking becomes subject to this part with the publication of a Notice of Proposed Rulemaking in the FEDERAL REGISTER. A proceeding under section 6 of the Toxic Substances Control Act may begin, as appropriate, with the publication in the FEDERAL REGISTER of a Notice of Proposed Rulemaking, an Advance Notice of Proposed Rulemaking, or notice of other