

## SUBCHAPTER R—TOXIC SUBSTANCES CONTROL ACT (CONTINUED)

### PART 790—PROCEDURES GOVERNING TESTING CONSENT AGREEMENTS AND TEST RULES

AUTHORITY: 15 U.S.C. 2603.

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#### Subpart A—General Provisions

##### § 790.1 Scope, purpose, and authority.

(a) This part establishes procedures for gathering information, conducting negotiations, and developing and implementing test rules or consent agreements on chemical substances and mixtures under section 4 of TSCA.

(b) Section 4 of the Act authorizes EPA to require manufacturers and processors of chemical substances and mixtures to test these chemicals to determine whether they have adverse health or environmental effects. Section 4 (a) empowers the Agency to promulgate rules which require such testing. In addition, EPA has implied authority to enter into enforceable consent agreements requiring testing where they provide procedural safeguards equivalent to those that apply where testing is conducted by rule.

(c) EPA intends to use enforceable consent agreements to accomplish testing where a consensus exists among EPA, affected manufacturers and/or processors, and interested members of the public concerning the need for and scope of testing.

[51 FR 23712, June 30, 1986, as amended at 75 FR 56475, Sept. 16, 2010]

##### § 790.2 Applicability.

This part is applicable to manufacturers and processors of chemical substances or mixtures who are subject to the testing requirements of a consent agreement or a rule under section 4(a) of the Act. The procedures for test rules are applicable to each test rule in part 799 or this chapter unless otherwise stated in specific test rules in part 799 of this chapter.

[51 FR 23712, June 30, 1986]

##### § 790.3 Definitions.

Terms defined in the Act and not explicitly defined herein are used with the meaning given in the Act. For the purpose of this part: