§ 700.49 Failure to remit fees.

EPA will not consider a section 5 notice to be complete unless the appropriate certification under §700.45(e) is included and until the appropriate remittance under §700.45(b) has been sent to EPA as provided in §700.45(e) and received by EPA. EPA will notify the submitter that the section 5 notice is incomplete in accordance with §§720.65(c) and 725.33 of this chapter.

§ 700.49 Failure to remit fees.

EPA will refund any fee paid for a section 5 notice whenever the Agency determines:

1. That the chemical substance that is the subject of a PMN, consolidated PMN, exemption application, or exemption notice is not a new chemical substance as of the date of submission of the notice.

2. That the notice is complete under either §720.65(c) or 725.33, of this chapter.

3. That as of the date of submission of the notice: the microorganism that is the subject of a MCAN is not a new microorganism; nor is the use involving the microorganism a significant new use.

4. That as of the date of submission of the notice: the microorganism that is the subject of a MCAN is not a new microorganism; nor is the use involving the microorganism a significant new use.

5. That the notice is complete under either §720.65(c) or 725.33, of this chapter.

6. That as of the date of submission of the notice: the microorganism that is the subject of a MCAN is not a new microorganism; nor is the use involving the microorganism a significant new use.


PART 702—GENERAL PRACTICES AND PROCEDURES

Subparts A–B [Reserved]

Subpart C—Citizen Suit

§ 702.60 Purpose.

Section 20 of the Toxic Substances Control Act (TSCA) authorizes any person to begin a civil action to compel performance by the Environmental Protection Agency (EPA) of TSCA non-discretionary acts or duties (section 20(a)(2)) or to restrain any violation of TSCA, or of any rule promulgated under sections 4, 5, or 6, or of any order issued under section 5 of TSCA (section 20(a)(1)). The purpose of this regulation is to prescribe procedures governing