

REQUEST FOR RECORDS DISPOSITION AUTHORITY		JOB NUMBER N1-026-11-002	
To: NATIONAL ARCHIVES & RECORDS ADMINISTRATION 8601 ADELPHI ROAD COLLEGE PARK, MD 20740-6001		Date received 03-24-2011	
1. FROM (Agency or establishment) Department of Homeland Security		NOTIFICATION TO AGENCY	
2. MAJOR SUBDIVISION United States Coast Guard		In accordance with the provisions of 44 U.S.C. 3303a, the disposition request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10.	
3. MINOR SUBDIVISION National Pollution Funds Center			
4. NAME OF PERSON WITH WHOM TO CONFER Amy Casillas-Becker	4. TELEPHONE NUMBER 202-493-6771	DATE	ARCHIVIST OF THE UNITED STATES WITHDRAWN
6. AGENCY CERTIFICATION I hereby certify that I am authorized to act for this agency in matters pertaining to the disposition of its records and that the records proposed for disposal on the attached <u>4</u> page(s) are not needed now for the business for this agency or will not be needed after the retention periods specified; and that written concurrence from the General Accounting Office, under the provisions of Title 8 of the GAO Manual for Guidance of Federal Agencies, <input checked="" type="checkbox"/> is not required <input type="checkbox"/> is attached; or <input type="checkbox"/> has been requested.			
DATE 22 March 2011	SIGNATURE OF AGENCY REPRESENTATIVE <i>Pamela J Norman</i>	TITLE Records Officer, United States Coast Guard	
7. ITEM NO.	8. DESCRIPTION OF ITEM AND PROPOSED DISPOSITION	9. GRS OR SUPERSEDED JOB CITATION	10. ACTION TAKEN (NARA USE ONLY)
	<p>The purpose of this request is to add/replace items in the current U.S. Coast Guard record schedules to correctly identify records created and maintained at the National Pollution Funds Center (NPFC) as the "official paper record." Additional electronic copy may be maintained at NPFC for reference.</p> <p>Records created and maintained in automated information systems such as Documentations created and/or maintained by the NPFC are to manage federal funding of response relating to oil spills or hazardous materials releases per the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), the National Response Plan and/or their successors. These documents include, but are not limited to: cost documentation, documentation of cost recovery, and claims submitted under the Oil Pollution Act (OPA) of 1990, Incidents covered by funding from the Oil Spill Liability Trust Fund (OSLTF), Superfund (under the Comprehensive Environmental Response, Compensation, and Liability Act, or CERCLA) and/or the Stafford Act.</p> <p>See Attached.</p>		

1. Case Management Files

Documentation of OPA incidents, especially cost / debt documentation of Federal response funding, including but not limited to information about the location and nature of the incident, emergency authorizations for cleanup and immediate recovery, contracts, plans, pollution removal funding authorizations, authorizations to pay, procurement documents, cost estimates, debt management, correspondence, litigation documentation, and administrative records and any other documents determined to be necessary in maintaining the integrity of the case. Also includes documentation on responsible parties (when known) and cost recovery. May include documentation on claims submitted under OPA.

a. Significant / High Visibility Cases: Documentation on spills, releases, incidents, or claims that:

- significantly impacted USCG policy,
- occurred in ecologically sensitive areas,
- attracted Congressional, significant general public, or media attention,
- resulted in large response cost or number of claims, or cost of claims
- involved litigation (i.e. criminal, public vessel, or where U.S. liability).

Permanent: Cut off at end of fiscal year when cases are closed. Transfer to Federal Records Center 3 years after case is closed. Transfer to the National Archives 15 years after case is closed.

b. Routine Cases: Documentation on routine cases

Temporary: Cut off at end of fiscal year when cases are closed. Transfer to Federal Records Center 3 years after case is closed. Destroy / Delete 15 years after case is closed.

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2. Claims Files

Documentation on removal cost and damage claims submitted under OPA for payment from the OSLTF and on their adjudication by the NPFC. Generally, claims are included in the case management files after closure, except where noted below.

1. Natural Resource Damage (NRD) Claims Files and Initiation of Natural Resource Damage Assessment Files

Documentation of NRD claims against the OSLTF by Natural Resource Trustees (Federal, State, and tribal) claimants and responsible parties (RPs). These claims are specifically for assessment and restoration funding for damages to natural resources as a result of oil spills. Claim files include, but are not limited to, claim documentation from trustees and RPs, damage assessment plans, restoration plans, technical studies, invoices and cost documentation, determinations by NPFC claims managers, correspondence, authorizations to pay, legal releases, and other supporting materials.

a. Significant Cases: Documentation on claims relating to spills, releases, or incidents that:

- significantly impacted USCG policy,
- occurred in ecologically sensitive areas,
- attracted Congressional, significant general public, or media attention,
- resulted in large response cost or number of claims, or cost of claims
- involved litigation (i.e. criminal, public vessel, or where U.S. liability).

Permanent: Cut off at end of fiscal year when cases are closed. Transfer to Federal Records Center 3 years after case is closed. Transfer to the National Archives 10 years after case is closed

b. Routine Cases: Documentation on routine cases

Temporary: Cut off annually after cases are closed. Retire to Federal Records Center 3 years after case is closed. Destroy/Delete 15 years after case is closed.

2. Case files of OPA claims against the OSLTF for spills without a Federal Project Number (FPN).

Case files include claims, authorizations to pay, signed releases by third parties, payment information and other documentation.

Temporary: Cut off at end of fiscal year when cases are closed. Transfer to Federal Records Center 3 years after case is closed. Destroy / Delete 10 years after cutoff.

3. Stafford Act / CERCLA Case Files

Case files containing copies of documentation of hazardous substances release cleanup provided primarily under the auspices of FEMA (in the case of Stafford Act case files) or by the Federal On-Scene Coordinator (FOSC) (for CERCLA case files), including but not limited to incident summary, daily expenditures, Basic Ordering Agreements (BOAs), contracts for cleanup, Coast Guard Message System (CGMS) pollution reports (POLREPS), and EPA Site closure letters. The files are used to justify the authority to bill EPA for reimbursement of funds. The files contain the record copies of the NPFC's authorization for the Coast Guard to bill FEMA (Stafford Act case files) or the EPA (CERCLA case files) for recovery of funds expended on behalf of the Superfund.

Temporary: Cut off at end of fiscal year when cases are closed. Transfer to Federal Records Center 3 years after case is closed. Destroy / Delete 10 years after cutoff.

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4. OSLTF Management and Accounting Records

Includes management and accounting records for the Oil Spill Liability Trust Fund and its predecessors, such as the 311K Revolving Pollution Fund, and OSLTF income and expenditure reports as well as other incident funds the NPFC handles.

a. Collections Records. Daily accounts receivable records.

Payment documentation including copies of checks and statement of amounts deposited into OSLTF from responsible parties (determined to be financially responsible for costs of clean up of oil spill.) Amounts received by NPFC (or other financial institution on behalf of NPFC) are applied against the cost of the oil spill cleanup into the NPFC financial system.

Temporary: Destroy / Delete 6 years and 3 months after cases are closed. (GRS 7 Item 2)

b. Records of Deposits.

Records of payments made directly to NPFC, including fees for Certificates of Financial Responsibility (COFR), payments by responsible parties, fees for FOIA requests, and other payments. Records of receipt

of payment and deposit into OSLTF or other Coast Guard funds. Includes deposit tickets, monthly statements, credit card records, remittance forms, deposit log, audit records, and monthly reconciliation spreadsheets

Temporary: Destroy / Delete 6 years and 3 months after cases are closed. (GRS 7 Item 2)

c. Monthly and Yearly Closeout of OSLTF Accounts Receivable (A/R).

Summary reports to account for all A/R transactions (expenditures, obligations, account receivables, interest accruing on principal) at month-end and year-end. Reports generated by the financial system to reconcile accounts between NPFC, Coast Guard Financial Center, and other institutions/agencies.

Temporary: Destroy / Delete 6 years and 3 months after cases are closed. (GRS 7 Item 2)

d. OSLTF Income and Expenditure Reports.

Reports on financial status of OSLTF and status of the Emergency Fund ceiling assigned to the Coast Guard, Environmental Protection Agency and Natural Resource Damage Assessments.

(1) Monthly Report. Temporary: Cut off at end of fiscal year. Destroy / Delete after 3 years.

(2) Yearly Report. Permanent: Cut off annually. Transfer to Federal Records Center 10 years after cutoff. Transfer to National Archives 30 years after cutoff.

e. 311K Revolving Pollution Fund Report. Records from 1971-1990.

Monthly Treasury report on income and expenditure of 311K fund under Federal Water Pollution Control Act, predecessor fund to OSLTF. Closed Series

Permanent: Transfer to the National Archives immediately after approval of this schedule.

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5. Certificate of Financial Responsibility (COFR)

Water Pollution Certificate Files, consisting of receipt of insurance and application forms for vessel owner or operator.

a. COFR Case Files (Water Pollution) Correspondence and other related documents required to issue certificates. (Supersedes NC1-26-84-8, item 538a)

Temporary: Cut off at end of fiscal year when revoked or expired. Transfer to Federal Records Center 5 years after case is closed. Destroy / Delete 10 years after cutoff.

b. Financial Guaranty/ Insurance consisting of insurance or surety company forms with approval memorandum, financial data and other related information for which approval or disapproval is based.

1. Underwriter Files consisting of insurance or surety company forms with approval memorandum, financial data and other related information for which (supersedes NC1-26-84-8, item 538b)

Temporary: Transfer to Federal Records Center 5 years after applicant has been withdrawn from active file. Destroy when 10 years old.

2. Master Insurance File consisting of blanket insurance forms covering all vessels under repair or construction, etc. under the care of a ship builder. (supersedes NC1-26-84-8, item 538c)

Temporary: Transfer to Federal Records Center 5 years after applicant has been withdrawn from active file. Destroy when 10 years old.

3. Self Insurers Files consisting of data pertaining to the financial status, solvency and financial responsibility of applicants. (supersedes NC1-26-84-8, item 538d)

Temporary: Transfer to Federal Records Center 5 years after applicant has been withdrawn from active file. Destroy when 10 years old.

4. Concurrence of Agent For Service of Applicants File, consisting of written agreements of United States firms to act as U.S. Agent for service of process for certain vessel owners, vessel operators, or underwriters. (supersedes NC1-26-84-8, item 538e)

Temporary: Transfer to Federal Records Center 5 years after applicant has been withdrawn from active file. Destroy when 10 years old.

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