

This schedule is under development and MAY NOT be used to retire or destroy records. If you have any questions, please contact the Records Help Desk.

EPA Records Schedule 150

Development: 02/03/2004

Title: Dockets

Program: All Programs

Applicability: Agency-wide

Agency File Code: REGS 150

NARA Disposal Authority:

- Pending

Description:

A docket is a collection of documents available to the public for review and, often, public comment. Dockets may be related to the development of rules and regulations (regulatory docket) or made available for other reasons not related to rulemaking (general docket).

Regulatory dockets include records relating to the development of EPA regulations. Records may consist of Federal Register documents (e.g., advance notices of proposed rulemaking, proposed rules, final rules, and notices of availability, background documents (e.g., relevant technical documents and information, technical resource documents, guidance, manuals and directives, contractors' reports supporting the rulemaking, internal documents that provide necessary factual background, and trip reports), correspondence or meeting summaries (e.g., records of communications with outside parties containing relevant information, lists of participants and summary minutes of meetings with external groups, and summaries of telephone conversations containing relevant information), public hearing transcripts and lists of speakers/attendees, public comments submitted to EPA and responses to public comments documents, supporting materials for administrative requirements (e.g., materials relating to the Regulatory Flexibility Act, Executive Order 12866, and other relevant statutes, orders, and policies), and any other material deemed appropriate by the program office.

General dockets contain documents made available for public review and, often, comments that may not be related to EPA's regulations. Dockets may be established for an array of non-rulemaking actions. They contain materials relating to actions on which EPA is required to solicit comment such as proposed collections of information under the Paperwork Reduction Act, proposed settlements and agreements in litigation, draft permits, and various types of approvals for state and tribal programs. They may also contain materials EPA is making available for public inspection, but not soliciting comments.

Files include comprehensive indices of all materials placed in the Docket.

Also includes the EDOCKET system, an on-line public review and comment system currently in use by EPA headquarters dockets and eventually to be used by all major EPA dockets. All new and day-forward

dockets are part of the EDOCKET system

Excludes The eRulemaking system which will be scheduled separately

Disposition Instructions:

Item a: Record copy of final docket

- Disposable
- Close file after publication of rule or close of docket. If docket is in paper, retire to certified records center 3 years after file closure then destroy 20 years after file closure. If docket is electronic, keep 20 years then delete.

Item b: Record copy of inactive, nonfinal docket, and documents of short-term value

- Disposable
- Close file 5 years after last activity. If documents are paper, retire to certified records center after file closure. Delete/destroy 5 years after file closure.

Item c: Electronic copies created with word processing and electronic mail applications

- Disposable
- Delete when record copy is generated

Item d: EDOCKET system - software

- Disposable
- Delete when superseded or no longer needed

Item e: EDOCKET system - documentation

- Disposable
- Keep for 2 migration cycles, then delete

Item f: EDOCKET system - e-mail identification and verification data

- Disposable
- Delete after verification

Arrangement: Arrangement varies but usually numerically by docket number

Type of Records: Case files

Format: Paper, Microform, Electronic, Physical objects

Functions Supported: Regulatory Development

Specific Restrictions:

- None

Specific Legal Requirements:

- Varies by statute

Reasons for Disposition:

Rulemaking dockets were previously approved as permanent documents (N1-412-94-2/24) The schedule has been expanded to include other types of dockets including those that never become final The proposed disposition of 20 years for final dockets and 5 years for inactive, nonfinal, or documents of short-term value meets EPA's business needs

Agency-wide Guidance:

If documents are scanned, destroy paper after quality assurance is complete

Examples of documents of short-term value covered in item b include notices announcing availability of publications, changes in contractors, requests for potential participants to serve on committees, changes in meeting locations, and locations of government buildings

If materials are submitted to EDOCKET and the approved retention of those materials is longer than the retention in this schedule, the record copy of the materials are to be retained by the submitting office in accordance with their approved schedule For example, if a copy of the administrative record for a land disposal permit is submitted to the EDOCKET, the submitting office is responsible for maintaining the record copy for the retention approved in schedule 210, item a (30 years after file break)

Other records related to published and unpublished regulations, standards and guidelines, including background and deliberative material, maintained in the sponsoring office are maintained in accordance with EPA 149

Reference copies can be destroyed when superseded or no longer needed

Other related schedules include

- EPA 019 - Administrative Records - Superfund Site Specific
- EPA 210 - Administrative Records - Permits
- EPA 294 - Administrative Records Pursuant to the Administrative Procedure Act
- EPA 518 - Rulemaking Committees

Program Office Guidance:**Custodians:**

Office of Environmental Information, Office of Information Collection

- **Contact:** Constance Downs
- **Mail Code:**
- **Telephone:** 202-566-1640
- **Location:**
- **Inclusive Dates:**

- **Volume on Hand:**
- **Annual Accumulation:**

Related Schedules:

EPA 019, EPA 149, EPA 210, EPA 294, EPA 518

Previous NARA Disposal Authority:

NC1-412-78-8/13, NC1-412-85-16/17, N1-412-94-2/24

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