

REQUEST FOR RECORDS DISPOSITION AUTHORITY
(See Instructions on reverse)

TO: NATIONAL ARCHIVES and RECORDS ADMINISTRATION (NIR)
 WASHINGTON, DC 20408

1. FROM (Agency or establishment)
 U. S. Environmental Protection Agency

2. MAJOR SUBDIVISION
 Office of Solid Waste and Emergency Response

3. MINOR SUBDIVISION
 Office of Emergency Prevention, Preparedness and Response

4. NAME OF PERSON WITH WHOM TO CONFER
 Chris O'Donnell

5. TELEPHONE
 202-566-1669

LEAVE BLANK (NARA use only)

JOB NUMBER
NI-412-05-3

DATE RECEIVED
9/27/2004

NOTIFICATION TO AGENCY

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request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10.

DATE ARCHIVIST OF THE UNITED STATES
1-28-05 *John W. Cal*

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 4 page(s) are not now needed for the business of 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,

is not required; is attached; or has been requested.

DATE *9/15/04* SIGNATURE OF AGENCY REPRESENTATIVE *Chris O'Donnell* TITLE *Agency Records Officer*

| 7. ITEM NO. | 8. DESCRIPTION OF ITEM AND PROPOSED DISPOSITION | 9. GRS OR SUPERSEDED JOB CITATION | 10. ACTION TAKEN (NARA USE ONLY) |
|-------------|---|-----------------------------------|----------------------------------|
| | EPA 044 - Risk Management Plan (RMP) Implementation Records | | |

cc Agency NWMW NWCT

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 044

Development: 09/10/2004

Title: Risk Management Plan (RMP) Implementation Records

Program: Emergency Prevention, Preparedness and Response

Applicability: Agency-wide

Agency File Code: SECU 044

NARA Disposal Authority:

- Pending

Description:

Contains documents relating to implementation of the Clean Air Act, Section 112(r), which requires facilities to develop risk management programs which will prevent and minimize consequences of accidental releases of certain hazardous chemicals that could harm public health and the environment. Facilities submit risk management plans (RMPs) every five years, or more frequently per 40 CFR Part 68. Includes RMPs, facility audit reports, correspondence, and other program implementation documents.

Disposition Instructions:

Item a: Record copy

- Disposable
- Break file annually; bring forward active materials. If record is paper, retire to certified records center 3 years after file break. Destroy/delete 7 years after file break.

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

- Disposable
- Delete when record copy is generated.

Arrangement: Arrangement varies.

Type of Records: Case files

Format: Electronic, Paper

Functions Supported: Security

Specific Restrictions:

- Enforcement confidential information
- Confidential business information
- Other FOIA-exempt information

Specific Legal Requirements:

- Clean Air Act, as amended, Section 112(r)
- 40 CFR Part 68
- Chemical Safety Information, Site Security and Fuels Regulatory Relief Act (Amendment to the Clear Air Act), 1999
- 40 CFR Part 1400

Reasons for Disposition:

RMPs are submitted to EPA every 5 years or more frequently per 40 CFR Part 68. The 7 year retention meets the statute of limitations and the business needs of the program.

Agency-wide Guidance:

The program may keep the records in paper or electronic format. Non-record copies can be disposed of when no longer needed. OSWER HQ (via the reporting center) is responsible for the original, submitted RMPs. But, the implementing agencies (which may include state or local agencies with appropriate delegation) will manage the records related to their implementation of the RMP program. Records related to state authorizations are covered in EPA 204 - State Program Authorization/Approval Files.

If no state or local agency is granted delegation, the appropriate EPA Region will be the implementing agency for that state. Records related to the oversight of the state program are covered in EPA 203 - State Oversight Files.

Compliance Files are scheduled as EPA 211 and Enforcement Action Files as EPA 207.

RMP data is entered into the System for Risk Management Plans (SRMP), a suite of electronic systems covered by EPA 047.

As required by 36 CFR 1228.58, records with special restrictions such as confidential business information (CBI) or those exempted from disclosure by statute such as the Privacy Act, or Chemical Safety Information, Site Security and Fuels Regulatory Relief Act of 1999 (CSISSFRRA), must be shredded or otherwise definitively destroyed with witnessed disposal for records destroyed by contractors.

Program Office Guidance:**Custodians:**

Office of Solid Waste and Emergency Response, Office of Emergency Prevention, Preparedness and Response

- **Contact:** Dorothy McManus

- **Mail Code:** 5104(a)
- **Telephone:** 202-564-8606
- **Location:** Ariel Rios
- **Inclusive Dates:**
- **Volume on Hand:**
- **Annual Accumulation:**

Related Schedules:

EPA 047, EPA 203, EPA 204, EPA 207, EPA 211

Previous NARA Disposal Authority:

EPA Approval Date: Pending

NARA Approval Date: Pending

Entry Date: 08/09/1999

Last Modified Date: 09/10/2004