

REQUEST FOR RECORDS DISPOSITION AUTHORITY		JOB NUMBER <i>71-412-05-9</i>	
To: NATIONAL ARCHIVES and RECORDS ADMINISTRATION (NIR) WASHINGTON, DC 20408		DATE RECEIVED <i>9-1-2005</i>	
1. FROM (Agency or establishment) U.S. Environmental Protection Agency		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request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10.	
2. MAJOR SUBDIVISION Office of Prevention, Pesticides and Toxic Substances			
3. MINOR SUBDIVISION Information Management Division			
4. NAME OF PERSON WITH WHOM TO CONFER Constance Downs	5. TELEPHONE 202-566-1669	DATE <i>7/26/06</i>	ARCHIVIST OF THE UNITED STATES <i>Allen W. ...</i>
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>5</u> 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, <input checked="" type="checkbox"/> is not required; <input type="checkbox"/> is attached; or <input type="checkbox"/> has been requested.			
DATE AUG 30 2005	SIGNATURE OF AGENCY REPRESENTATIVE <i>Constance Downs</i>	TITLE Acting 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 GRS OR SUPERSEDED JOB CITATION	10.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 292 TSCA Section 12(b) Notice of Export Files		

cc Agency NR NUMD NUMU

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 292

Development: 08/03/2005

Title: TSCA Section 12(b) Notice of Export Files

Program: Toxic Substances

Applicability: Headquarters

Agency File Code: TOXI 292

NARA Disposal Authority:

- Pending

Description:

Records contain notification to EPA from various companies of their export or intent to export specific chemicals or mixtures subject to specified actions taken under Sections 4, 5, 6, and 7 of the Toxic Substances Control Act (TSCA). Records also contain related correspondence between EPA and foreign government authorities, other U.S. government agencies, the legal community, industry, or other interested parties.

Includes notice documents submitted to EPA under Section 12(b) of TSCA. These documents include information regarding the export of specific chemicals or mixtures for which notification is required.

The program office tracks and controls confidential business information (CBI).

Also includes original supporting information, such as the reasons for the submission, details about the exported product or quantity exported, and specific locations of the exporter. Record contains all correspondence between EPA and foreign government authorities (e.g., embassies), other U.S. government agencies, the legal community, industry, or other interested parties which document (1) requests for information relating to section 12(b) of TSCA; (2) letters sent to importing countries informing them of the export or the intended export; (3) computer-generated printouts which are sent to the EPA Office of Enforcement and Compliance Assurance of possible violations; and (4) correspondence on Prior Informed Consent (PIC) chemicals, notifying importing countries of the export or the intended export of a PIC chemical.

Disposition Instructions:

Item a: Original notice documents

- Disposable
- Close file at the end of each calendar year. Destroy when 5 years old.

Item b: Tracking and control records

- Disposable
- Destroy when 5 years old.

Item c: Supporting information

- Disposable
- Close file at the end of each calendar year. Destroy when 5 years old.

Item d: Microfilm

- Disposable
- Close file at the end of each calendar year. Destroy when 5 years old.

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

- Disposable
- Delete when record copy is generated.

Arrangement: Arranged chronologically by calendar year.

Type of Records: Case files

Format: Electronic, Paper

Functions Supported: Toxic Substances Program

Specific Restrictions:

- Confidential business information

Specific Legal Requirements:

- Toxic Substances Control Act, as amended, 15 U.S.C. Sec. 12(b)
- 40 CFR, Part 707

Reasons for Disposition:

The retention is based on requirements associated with enforcement-related investigations concerning company compliance with TSCA 12(b) reporting requirements.

Agency-wide Guidance:

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 must be shredded or otherwise definitively destroyed with witnessed disposal for records destroyed by contractors.

The Export Notification Tracking System (ENTS) is covered by EPA 090.

Program Office Guidance:

Information on the confidential business information (CBI) notices submitted to EPA are kept in a logbook. This information includes the CBI document control number, the name of the chemical exported, the country of import, and the date the export notification letter was sent to the foreign government.

Original CBI export notices are maintained in the CBI center and are tracked using the Confidential Business Information Tracking System (CBITS). The CBI center is responsible for maintaining the official CBI export notice records for the time period specified above. Copies of incoming and outgoing CBI export notices that are maintained in the program office can be destroyed when no longer needed in accordance with requirements found in 36 CFR 1228.58.

Official non-confidential export notices are maintained by the program office and must be retained in accordance with the disposition requirements in item a.

Both confidential and non-confidential incoming and outgoing notices are also tracked for inquiries using the TSCA 12(b) Export Notification Tracking System (ENTS) (See EPA 090 - Administrative Support Data Bases). ENTS automatically generates letters to import countries informing them of the export chemical.

Custodians:

Office of Prevention, Pesticides, and Toxic Substances, Environmental Assistance Division

- **Contact:** John Alter
- **Mail Code:** 7408M
- **Telephone:** 202-564-8074
- **Location:** EPA East
- **Inclusive Dates:**
- **Volume on Hand:**
- **Annual Accumulation:**

Office of Prevention, Pesticides, and Toxic Substances, Information Management Division

- **Contact:** Vanessa Williams
- **Mail Code:** 7407M
- **Telephone:** 202-564-8957
- **Location:** EPA East
- **Inclusive Dates:**
- **Volume on Hand:**
- **Annual Accumulation:**

Related Schedules:

EPA 090

Previous NARA Disposal Authority:

EPA Approval Date: Pending

NARA Approval Date: Pending

Entry Date: 02/22/1994

Last Modified Date: 08/03/2005