

<b>REQUEST FOR RECORDS DISPOSITION AUTHORITY</b>		JOB NUMBER <i>71-412-07-6</i>	
To: NATIONAL ARCHIVES and RECORDS ADMINISTRATION (NIR) WASHINGTON, DC 20408		DATE RECEIVED <i>11-15-2006</i>	
1 FROM (Agency or establishment)  U.S. Environmental Protection Agency		<p align="center"><b>NOTIFICATION TO AGENCY</b></p> <p>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request, including amendments, is approved except for items that may be marked Adisposition not approved or A withdrawn in column 10.</p>	
2 MAJOR SUBDIVISION			
3 MINOR SUBDIVISION			
4 NAME OF PERSON WITH WHOM TO CONFER  John B. Ellis	5 TELEPHONE  202-566-1643	DATE <i>4/18/07</i>	ARCHIVIST OF THE UNITED STATES <i>Alla Weinstein</i>
<p>6. AGENCY CERTIFICATION</p> <p>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 ___ 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,</p> <p><input checked="" type="checkbox"/> is not required;    <input type="checkbox"/> is attached; or    <input type="checkbox"/> has been requested.</p>			
DATE <i>11/2/06</i>	SIGNATURE OF AGENCY REPRESENTATIVE John B. Ellis <i>John B. Ellis</i>		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 GRS OR SUPERSEDED JOB CITATION	10.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 478 RCRA Generators, Transporters, and TSD Facilities Files

N1-412-94-4/17

*SA copies sent to Agency, NWMD, NOME, NWMD, NR*

# EPA Records Schedule 478

**Status:** Final, 02/29/2008

**Title:** RCRA Generators, Transporters, and TSD Facilities Files

**Program:** RCRA

**Applicability:** Agency-wide

**Function:** 108-025-05 - Manage Risks from Wastes

**NARA Disposal Authority:**

This schedule authorizes the disposition of the record copy in any media (media neutral), excluding any records already in electronic form. Records designated for permanent retention must be transferred to the National Archives in accordance with NARA standards at the time of transfer.

- N1-412-07-6

**Description:**

Records relate to generators, transporters, and TSD (treatment, storage and disposal) facilities as required by Subtitle C of the Resource Conservation and Recovery Act (RCRA). Includes notification forms, permit applications and modifications, background and supporting documentation, public notices, drafts and final permits, comments and records of public meetings, fact sheets, exception reports, appeals, import and export notifications, closure and post-closure documents, inspection reports, court orders, manifests, delistings, correspondence, financial assurance documents, records relating to interim status, and other related records. Also includes Regional Off-Site Contact (ROC) records related to facilities approved to receive CERCLA wastes, including phone logs, inspection reports, and related records.

**Disposition Instructions:**

**Item a(1):** RCRA land disposal permits - Nonelectronic

- **Permanent**
- Close inactive records at permit renewal or termination.
- Transfer to the National Archives 20 years after file closure. If record is microform, destroy paper after quality assurance is completed.

**Item a(2):** RCRA land disposal permits - Electronic

- **Permanent**
- Close inactive records at permit renewal or termination.

- Transfer to the National Archives 5 years after file closure with any related documentation and external finding aids, as specified in 36 CFR 1228.270 or standards applicable at the time.

**Item a(3):** RCRA land disposal permits - Electronic copy of records transferred to the National Archives

- **Disposable**
- Close file upon transfer to the National Archives.
- Delete after electronic record copy is successfully transferred to the National Archives.

**Item b:** Other permits for generators, transporters, and TSD facilities

Includes facilities that comply with regulations without following the usual permitting process.

- **Disposable**
- Close inactive records at permit renewal or termination.
- Destroy 10 years after file closure.

**Guidance:**

If authorized states maintain disposable records for retention periods identified above, the program office may decide to review the records in the state offices rather than maintain copies in regional offices and destroy the copies it receives. If recordkeeping requirements (e.g., what records to keep and how long to keep them) for authorized states are not covered in EPA regulations, the requirements should be established in a memorandum of agreement.

Draft permits may be destroyed after the effective date of the final permit.

Notification forms that have been withdrawn or canceled prior to issuance of a permit and TSDs that have not gone through the permitting process are subject to the same retention as the permits. Regional offices may determine the appropriate file closure for notification and other files for which a permit will not be issued.

If land disposal permits are included or combined with other permits, they may be separated, if practical and volume warrants.

Records may include financial assurance documents, "ability to pay" documents, and negotiable instruments such as letters of credit and stock certificates. Original negotiable instruments must be protected and kept in fireproofed locked containers such as a safe. Copies of the negotiable instruments may be kept in the related files.

Copies of historically significant documents may be filed in program development files, EPA 145.

The program office may retain files in the office if they are likely to become a compliance or enforcement issue. See EPA 211 for compliance files and EPA 207 for enforcement actions. EPA 210 covers administrative records. Corrective actions are scheduled as EPA 206. EPA 257 covers the National RCRA Information System (RCRAInfo). State and other entity program authorizations and approvals are scheduled as EPA 204. Permits for other programs are scheduled as EPA 205.

Records containing sensitive information must be shredded or otherwise definitively destroyed to protect confidentiality.

Specific legal citations include:

- Resource Conservation and Recovery Act, as amended, 42 U.S.C., Sec. 3005
- 40 CFR Parts 260-270, 300.440

**Reasons for Disposition:**

The disposition instructions have been rewritten as media neutral to allow for maintaining the record copy in EPA's electronic recordkeeping system. The retention has not changed.

The following changes were made in the 02/29/2008 version:

- Divided item a into three subitems, a(1)-(3).
- Revised the title of disposition items a(1)-(3).
- Revised the disposition instruction for item a(3).

Item d for electronic copies created with word processing and electronic mail applications deleted 08/22/2006 pursuant to NARA Bulletin 2006-04.

Item c for copies on optical disk and CD-ROM deleted in 10/25/2006 version.

**Custodians:**

Multiple units

**Related Schedules:**

EPA 145, EPA 204, EPA 205, EPA 206, EPA 207, EPA 210, EPA 211, EPA 257

**Previous NARA Disposal Authority:**

NC1-412-85-20/2 and 3, N1-412-94-4/17

**Entry:** 03/03/1993

**EPA Approval:** 11/02/2006

**NARA Approval:** 04/18/2007