

<b>REQUEST FOR RECORDS DISPOSITION AUTHORITY</b>		JOB NUMBER <i>71-412-07-7</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 Awithdrawn 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>4/28/02</i>	ARCHIVIST OF THE UNITED STATES <i>Alan W...</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 GRS OR SUPERSEDED JOB CITATION	10.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 480 Enforcement Actions – Oil Site-Specific

N1-412-94-2/45

*24 copies sent to Agency, NARA, NAD, NAWM, NR*

# EPA Records Schedule 480

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

**Title:** Enforcement Actions - Oil Site-Specific

**Program:** Oil

**Applicability:** Agency-wide

**Function:** 108-025-08 - Compliance and Enforcement

## **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.

- N1-412-07-7

## **Description:**

Includes all cases referred to Office of Regional Counsel or other offices with enforcement authority for actions taken to assess penalties against facilities for failure to maintain proper spill prevention and response plans or for actual oil spills. Includes such actions as inspections, plan reviews, administrative complaints and orders and injunctive relief. Specific types of records include inspection reports, case summaries, compliance status documents, referral packages, attorney work products, state and local enforcement records, facility business and financial records and notices.

## **Disposition Instructions:**

**Item a:** No legal action required or routine legal action cases

- **Disposable**
- Close inactive records upon settlement or closing of case.
- Destroy 30 years after file closure.

**Item b(1):** Landmark cases - Nonelectronic

- **Permanent**
- Close inactive records upon settlement or closing of case.
- Transfer to the National Archives 30 years after file closure.

**Item b(2):** Landmark cases - Electronic

- **Permanent**
- Close inactive records upon settlement or closing of case.
- 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 b(3):** Landmark cases - 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.

**Guidance:**

The unit with enforcement authority is responsible for maintaining the record copy and implementing the disposition, including selecting landmark cases for recommendation to the Regional Administrator or the Regional Administrator's delegate. Landmark cases include cases resulting in a legal precedent which establishes or affirms Agency policy with respect to environmental actions of national importance, such as the banning of a hazardous substance or other actions affecting EPA's relationship with an entire industry or a major pollution source.

Copies incorporated into other files are to be retained according to the disposition instructions for the records they support.

Oil spill site-specific removal records are covered in EPA 481. Enforcement records for programs other than Oil and Superfund are scheduled as EPA 207, and Superfund as EPA 025. See EPA 024 for cost recovery records.

Specific legal citations include:

- Oil Pollution Act of 1990, 33 U.S.C., Sec. 4301
- 40 CFR Part 110

**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 b into three subitems, b(1)-(3).
- Revised the titles of disposition items b(1)-(3).

- Revised the disposition instruction for item b(3).

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

**Custodians:**

Multiple units

**Related Schedules:**

EPA 024, EPA 025, EPA 207, EPA 481

**Previous NARA Disposal Authority:**

N1-412-94-2/45

**Entry:** 06/02/1993

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

**NARA Approval:** 04/25/2007