

REQUEST FOR RECORDS DISPOSITION AUTHORITY		JOB NUMBER <i>N1-412-07-30</i>	
To: NATIONAL ARCHIVES and RECORDS ADMINISTRATION (NIR) WASHINGTON, DC 20408		DATE RECEIVED <i>1-8-2007</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 Adisposition not approved or Awithdrawn in column 10.	
2. MAJOR SUBDIVISION Toxic Substances			
3. MINOR SUBDIVISION Headquarters			
4. NAME OF PERSON WITH WHOM TO CONFER John B. Ellis	5. TELEPHONE 202-566-1643	DATE <i>1/26/08</i>	ARCHIVIST OF THE UNITED STATES <i>Alta 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 ___ 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 <i>12/19/06</i>	SIGNATURE OF AGENCY REPRESENTATIVE John B. Ellis <i>J. 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 GRS OR SUPERSEDED JOB CITATION	10.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)

TSCA Section 21 Citizens Petitions

N1-412-01-7

LC/30/08 copies sent to agency, NROMS, NOME, NWMU, & NR

This schedule is in draft. It may be used to retire records, but may not be used to destroy records. If you have any questions, please contact the Records Help Desk.

EPA Records Schedule 260

Status: Draft, 01/31/2008

Title: TSCA Section 21 Citizens Petitions

Program: Toxic Substances

Applicability: Headquarters

Function: 108-025-06-02 - Manage Toxic Substances

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.

- N1-412-07-30

Description:

Records contain petitions submitted for issuance, amendment, or repeal of a rule under sections 4, 6, or 8, or an order under sections 5(e), 6(b)(1)(A), or 6(b)(1)(B) of the Toxic Substances Control Act, as amended. The records document the Agency's action taken in response to a petition. The Agency must also determine whether to grant or deny the petition and substantiate its decision. The Agency's action could result in an issuance of a new rule, amendment to an existing rule, or a repeal of an existing rule.

Disposition Instructions:

Item a(1): Record copy - Nonelectronic

- **Permanent**
- Close inactive records 1 year following issuance of the Agency's finding or decision.
- Transfer to the National Archives 20 years after file closure. If record is microform, destroy paper after quality assurance is completed.

Item a(2): Record copy - Electronic

- **Permanent**
- Close inactive records 1 year following issuance of the Agency's finding or decision.
- 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): 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 Nonconfidential Information Center (NCIC), the Confidential Information Business Center (CBIC) and the program office are responsible for implementing the disposition and ensuring that a permanent record is maintained. The program office is responsible for the maintenance and disposition of deliberative information not included in the NCIC files.

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

Microform copies are to be produced in accordance with standards in 36 CFR 1230.10 and 1230.20.

TSCA petition records are maintained as a separate series of records by NCIC and CBIC. Once the petition file is closed, any subsequent actions resulting from the Agency's decision may be maintained by other offices in one of three different types of files -- administrative, docket, or case and are covered by the applicable schedule. For example: (1) If an Agency decision was to conduct additional tests, the records generated to document this action could be covered under one of several schedules, e.g., EPA 262 for TSCA Section 4 chemical test program results or EPA 372 for TSCA Section 8 information and reporting files. (2) If the Agency's decision is to amend the rule, the documentation created during this process is covered by EPA 149 for regulations, standards, and guidelines or EPA 150 for dockets.

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. Item b for microformed paper copy was deleted and incorporated into item a. The retention of the record copy is unchanged.

The following changes were made in the 01/31/2008 version:

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

Item c for electronic copies created with word processing and electronic mail applications deleted 08/18/2006 pursuant to NARA Bulletin 2006-04.

Custodians:

Office of Prevention, Pesticides, and Toxic Substances, Office of Pollution Prevention and Toxics, Chemical Control Division

- **Contact:** Dave R. Williams
- **Telephone:**

Related Schedules:

EPA 149, EPA 150, EPA 262, EPA 372

Previous NARA Disposal Authority:

N1-412-01-7

Entry: 06/23/1994

EPA Approval: 12/19/2006

NARA Approval: Pending