

REQUEST FOR RECORDS DISPOSITION AUTHORITY		JOB NUMBER <i>N1-412-07-54</i>	
To NATIONAL ARCHIVES and RECORDS ADMINISTRATION (NIR) WASHINGTON, DC 20408		DATE RECEIVED <i>6/11/2007</i>	
1 FROM (Agency or establishment) U.S Environmental Protection Agency		NOTIFICATION TO AGENCY In accordance with the provisions of 44 USC 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 OSWER			
3 MINOR SUBDIVISION Agency-wide, Headquarters and Regions			
4 NAME OF PERSON WITH WHOM TO CONFER John B Ellis	5 TELEPHONE 202-566-1643	DATE <i>4/16/08</i>	ARCHIVIST OF THE UNITED STATES <i>Albert Bente</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 17 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 <i>5/24/07</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7 Item No	8 DESCRIPTION OF ITEM AND PROPOSED DISPOSITION	9 GRS OR SUPERSEDED JOB CITATION	10 ACTION TAKEN (NARA USE ONLY)

1	EPA 080 Local Government Reimbursement Program	N1-412-94-6/1	
2	EPA 084 Case Specific Decisions on Indemnification Requests from States for Response Action Contractors (RACs)	N1-412-94-3/15	
3	EPA 085 Administrative Decision Records	NC1-412-85-10/19	
4	EPA 087 Claims Against the Fund	N1-412-94-3/18	
5	EPA 091 CERCLA Section 103 Notifications	N1-412-94-3/19	
6	EPA 206 RCRA Corrective Action Files	N1-412-94-4/4	
7	EPA 602 Emergency Planning Case Files	NC1-412-85-26/II/1	
8	EPA 603 Emergency Operations Test File	NC1-412-85-26/II/3	

he 4/18/08 copies sent to agency, NOMB, NAME, NOMW, NWCT, & NR

This schedule is in development. It may not be used to retire or destroy records. If you have any questions, please contact the [Records Help Desk](#).

EPA Records Schedule 080

Status: Development, 04/27/2007

Title: Local Government Reimbursement Program

Program: Superfund

Applicability: Headquarters

Function: 205 - Federal Financial Assistance

NARA Disposal Authority:

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

- Pending

Description:

The Local Government Reimbursement Program provides financial assistance to local governments responding to releases of hazardous substances. When a local government has conducted an emergency response action and is unable to recover costs in accordance with 40 CFR 310, an application may be submitted to EPA for reimbursement, up to \$25,000 (This program differs from a grant in that the local government later recovers costs and must return the reimbursed funds to EPA) Records include general information and cost documentation on the release, the application for reimbursement, records of reimbursement, and rejected and accepted applications

Disposition Instructions:

Item a: Record copy

~~• Disposable~~ *Temp*

- Close inactive records immediately after closeout of the reimbursement.
- Destroy 30 years after file closure

Guidance:

Records covered by this schedule differ slightly from Superfund site-specific grants and other program support agreements (EPA 001) because the reimbursement is not considered a grant Reimbursements under this program must be repaid to EPA only if the recipient is able to recover the costs The retention of these records reflects their value to cost recovery support.

Pursuant to the local government reimbursement program, the local government recipient of funds must maintain their files on the response action for 10 years. At that time, the local government must offer the records to EPA before destruction. Typically, these records will include more detailed technical records relating to the incident and response action. EPA will review the files for enforcement value and determine whether they warrant integration and retention with the EPA portion of the file.

Copies incorporated into other files (e.g., cost recovery) are retained according to the disposition instructions for the records they support.

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.

Item b for electronic copies created with word processing and electronic mail applications was deleted 08/15/2006 pursuant to NARA Bulletin 2006-04.

Custodians:

Office of Solid Waste and Emergency Response, ST/SI

- **Contact:** Lisa Boynton
- **Telephone:** 703-603-9052

Related Schedules:

EPA 001, EPA 024

Previous NARA Disposal Authority:

NC1-412-85-18/2 and 24, NC1-412-85-25/5d and 6, in part, N1-412-94-6/1

Entry: 06/08/1992

EPA Approval: Pending

NARA Approval: Pending

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

EPA Records Schedule 084

Status: Development, 04/27/2007

Title: Case-Specific Decisions on Indemnification Requests from States for Response Action Contractors (RACs)

Program: Superfund

Applicability: Agency-wide

Function: 108-024-01 - Site and Area Evaluation and Cleanup

NARA Disposal Authority:

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

- Pending

Description:

In contracts or agreements with an indemnification clause, states or potentially responsible parties (PRPs) make a request regarding indemnification of site-specific design and cleanup from EPA Headquarters. Based on review, EPA issues a decision document granting approval to purchase private insurance or providing for federal indemnification for the state or contractor. Includes the request, background materials including relevant portions of the agreement or contract containing the indemnification clause, and the decision document regarding federal indemnification

Disposition Instructions:

Item a: Indemnifications with a specified time limit

~~• Disposable~~ *Temp*

- Close inactive records at the end of the year after the closeout of the response action contract
- Destroy 30 after file closure

Item b: Indemnifications without a specified time limit

- **Permanent**
- Close inactive records at the end of the year after the closeout of the response action contract.

- File with related records and follow instructions for related records (EPA 013 for removal or EPA 014 for remedial)

Guidance:

The portion of the agreement or contract containing the indemnification clause should be retained with the decision document and other related materials.

Superfund site-specific contracts are scheduled as EPA 020. Contracts that are not site-specific or for programs other than Superfund are covered in EPA 202.

Reasons for Disposition:

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

Item c for electronic copies created with word processing and electronic mail applications was deleted 08/15/2006 pursuant to NARA Bulletin 2006-04.

Custodians:

Multiple units

Related Schedules:

EPA 013, EPA 014, EPA 020, EPA 202

Previous NARA Disposal Authority:

N1-412-94-3/15

Entry: 06/02/1992

EPA Approval: Pending

NARA Approval: Pending

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

EPA Records Schedule 085

Status: Development, 04/27/2007

Title: Administrative Decision Records

Program: Superfund

Applicability: Agency-wide

Function: 108-024-01 - Site and Area Evaluation and Cleanup

NARA Disposal Authority:

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

- Pending

Description:

CERCLA 106(b) allows potentially responsible parties (PRPs) to petition the Fund for reimbursement of reasonable costs of response actions if they can prove they were not liable for the response costs or they can demonstrate, on the administrative record, the response action ordered was arbitrary and capricious or otherwise not in accordance with the law. These records include 106(b) petitions, correspondence with the petitioner and the regional office, the Preliminary Decision Document, comments by the petitioner and the regional office on the preliminary decision, the Final Decision Document, and other relevant documentation

Disposition Instructions:

Item a: Record copy

~~• Disposable~~ Temp

- Close inactive records when final decision has been issued or when settlement is completed
- Destroy 30 years after file closure

Guidance:

Local government reimbursement program records are scheduled as EPA 080 and claims against the Fund as EPA 087

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

protect confidentiality.

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.

Item b for electronic copies created with word processing and electronic mail applications was deleted 08/15/2006 pursuant to NARA Bulletin 2006-04

Custodians:

Office of Solid Waste and Emergency Response, Regional Support Division

- **Contact:** Clarence E. Featherson
- **Telephone:** 202-564-4234

Related Schedules:

EPA 080, EPA 087

Previous NARA Disposal Authority:

~~NCI 412-85-10/19~~

NI-412-94-3/16

Entry: 07/16/1992

EPA Approval: Pending

NARA Approval: Pending

This schedule is in development. It may not be used to retire or destroy records. If you have any questions, please contact the [Records Help Desk](#).

EPA Records Schedule 087

Status: Development, 04/27/2007

Title: Claims Against the Fund

Program: Superfund

Applicability: Agency-wide

Function: 402-126 - Payments

NARA Disposal Authority:

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

- Pending

Description:

Contains records used to document the decisions made by headquarters and regional personnel concerning claims against the Fund under various sections of CERCLA. Includes a copy of the official response claim, documentation of action to settle the claim, a copy of the agreement of the final settlement of the claim, and other related records.

Also includes claims filed against the Fund under mixed funding agreements (preauthorization, cashouts, mixed work). Records particular to mixed funding agreements include the application, and a preauthorization decision document, and claims filed periodically against the Fund.

Disposition Instructions:

Item a: Record copy

~~• Disposable~~ Temp

- Close inactive records upon settlement of claim.
- Destroy 30 years after file closure.

Guidance:

Cost recovery records are scheduled as EPA 024. Administrative decision records are covered in EPA 085.

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.

Item b for electronic copies created with word processing and electronic mail applications was deleted 08/15/2006 pursuant to NARA Bulletin 2006-04.

Custodians:

Office of Solid Waste and Emergency Response, Policy and Program Evaluation Division

- **Contact:** Seth Bruckner
- **Telephone:** 202-564-5142

Related Schedules:

EPA 024, EPA 085

Previous NARA Disposal Authority:

NC1-412-85-10/19, NC1-412-85-18/26, N1-412-94-3/18

Entry: 05/25/1992

EPA Approval: Pending

NARA Approval: Pending

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 091

Status: Draft, 01/31/2008

Title: CERCLA Section 103 Notifications

Program: Superfund

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.

- N1-412-07-54/5

Description:

Under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), Section 103 requires the notification of any spill or other release of a hazardous substance that equals or exceeds a reportable quantity (RQ). There are three types of reporting requirements under CERCLA: CERCLA 103(a) for actual releases, including spills, of hazardous substances; CERCLA 103(c) for facilities where hazardous wastes have been disposed of and where such releases might occur; and CERCLA 103(f)(2) for releases that are continuous and stable in quantity and rate. May also include petroleum products as well as non-hazardous reported releases.

Documents include records of communication recording the immediate notification to the EPA or National Response Center by phone; EPA Form, Notification of Hazardous Waste Site; initial written report for continuous releases citing the location and/or facility, the amount(s) and type(s) of the hazardous substance or waste, and location layout; and written follow-up report.

Disposition Instructions:

Item a(1): Record copy - Nonelectronic

- **Permanent**
- Close inactive records at end of year.
- Transfer to the National Archives 30 years after file closure.

Item a(2): Record copy - Electronic

- **Permanent**
- Close inactive records at end of year.
- 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~~ *Temp*

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

Guidance:

CERCLA 103 notifications are the responsibility of the appropriate regional offices receiving the initial notification or receiving the written follow-up report.

The Accidental Release Information Program (ARIP) is scheduled as EPA 056. See EPA 060 for the Emergency Response Notification System (ERNS) and EPA 061 for the Continuous Release Emergency Response Notification System (CR-ERNS)

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

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 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 b for electronic copies created with word processing and electronic mail applications was deleted 08/15/2006 pursuant to NARA Bulletin 2006-04.

Custodians:

Multiple units

Related Schedules:

EPA 056, EPA 060, EPA 061

Previous NARA Disposal Authority:

N1-412-94-3/19

Entry: 03/29/1993

EPA Approval: 05/24/2007

NARA Approval: Pending

EPA Records Schedule 206

Status: Final, 04/30/2012

Title: RCRA Corrective Action Files

Program: RCRA

Applicability: Regions

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.

- N1-412-07-54/6

Description:

Contains records documenting corrective action measures as imposed through a RCRA permit. Includes RCRA Facility Assessments (RFA), RCRA Facility Investigations (RFI), Corrective Measures Studies (CMS), Corrective Measures Implementation (CMI), and related documents

Excludes: Corrective actions that become enforcement actions covered by EPA 207.

Disposition Instructions:

Item a(1): Corrective actions for RCRA land disposals - Nonelectronic

- **Permanent**
- Close inactive records when corrective process is terminated or when remedy is selected and there is no further action.
- Transfer to the National Archives 20 years after file closure.

Item a(2): Corrective actions for RCRA land disposals - Electronic

- **Permanent**
- Close inactive records when corrective process is terminated or when remedy is selected and there is no further action.
- Transfer to the National Archives 5 years after file closure, with any related documentation and external finding aids, as specified in 36 CFR 1235.44-1235.50 or standards applicable at the time.

Item a(3): Corrective actions for RCRA land disposals - 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 RCRA corrective actions

Includes RCRA corrective actions for generators, transporters, and TSD facilities, except land disposals, as well as facilities which comply with regulations without following the usual permitting process.

- **Disposable**
- Close inactive records when corrective process is terminated or when remedy is selected and there is no further action.
- Destroy 10 years after file closure.

Guidance:

If authorized states maintain records as long or longer than EPA, the program office may decide to review the records, except for RCRA land disposal permits, in the state offices rather than maintain copies in regional offices. If the regional office chooses to review records in state offices, it may destroy these files when no longer needed. However, in that case, the regional office may not retire the files to the FRC. If recordkeeping requirements (e.g., what records to keep and how long to keep them) for authorized states are not covered in EPA's regulations, the requirements should be established in a memorandum of understanding.

RCRA permit files are covered in EPA 478. See EPA 210 for administrative records for permits. Compliance files are covered in EPA 211.

If cases are referred to Regional Counsel for enforcement action, files become part of enforcement action files and are covered by EPA 207.

Specific legal citations include:

- Resource Conservation and Recovery Act, as amended, 42 U.S.C., Section 3004
- 40 CFR 264

Reasons for Disposition:

The following changes were made in the 04/30/2012 version:

- Revised file closure instructions for items a(1)-(2) and b.

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 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).

The following items were deleted 08/17/2006:

- Item c for copies on optical disk and CD-ROM was deleted as nonrecords.
- Item d for electronic copies created with word processing and electronic mail applications was deleted pursuant to NARA Bulletin 2006-04.

Custodians:

Multiple units

Related Schedules:

EPA 207, EPA 210, EPA 211, EPA 478

Previous NARA Disposal Authority:

NC1-412-85-20/4, NC1-412-85-21/7, N1-412-94-4/4

Entry: 02/24/1992

EPA Approval: 05/24/2007

NARA Approval: 04/18/2008

--=_mixed 005C451A872579F0_==

EPA Records Schedule 602

Status: Final, 08/31/2008

Title: Continuity of Operations (COOP) Plans

Program: All Programs

Applicability: Agency-wide

Function: 302-095 - Continuity of Operations

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.

- N1-412-07-54/7 (Item a)
- GRS 18/27 (Item b)

Description:

Contains continuity of operations (COOP) plans and directives for the continued operation of EPA in times of an emergency or disaster. Includes related background documents such as correspondence, reports and instructions, charts and plans used in defense mobilization planning, evacuation shelters, emergency relocation and the vital records protection program.

Disposition Instructions:

Item a: Plan or directive

- **Disposable**
- Close inactive records when superseded or canceled
- Destroy 5 years after file closure.

Item b: Background documents

- **Disposable**
- Close inactive records when superseded or canceled.
- Destroy 3 years after file closure

Guidance:

Records created during an actual COOP deployment are to be retained in accordance with EPA 233 for disaster response.

COOP exercises and activations are scheduled as EPA 603

Prior to retirement to the Federal Records Center, any material having a Federal Emergency Management Agency (FEMA) security classification under the authority of 44 CFR 8 must be reviewed for declassification. Requests for declassification must be submitted to FEMA as directed in 44 CFR 8.4

Reasons for Disposition:

The following changes were made to the 08/31/2008 version:

- Revised schedule title from Emergency Planning Case Files to Continuity of Operations (COOP) Plans
- Changed program applicability from Emergency Prevention, Preparedness and Response to All Programs
- Updated description and guidance

The disposition instructions for item a were revised as media neutral to allow for maintaining the record copy in EPA's electronic recordkeeping system. The retention for item a was changed from permanent to 5 years. The disposition for item b conforms to NARA's General Records Schedule 18, item 27

Item c for electronic mail and word processing system copies deleted 08/23/2006 pursuant to NARA Bulletin 2006-04

Custodians:

Multiple units

Related Schedules:

EPA 233, EPA 603

Previous NARA Disposal Authority:

NC174-118/III/1 and 2, NC1-412-85-26/II/1

Entry: 09/08/1993

EPA Approval: 05/24/2007

NARA Approval: 04/18/2008

EPA Records Schedule 603

Status: Final, 08/31/2008

Title: Continuity of Operations (COOP) Exercises

Program: All Programs

Applicability: Agency-wide

Function: 302-095 - Continuity of Operations

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.

- N1-412-07-54/8 (Item a)
- GRS 18/28 (Item b)

Description:

Contains consolidated or comprehensive reports reflecting Agency-wide results of tests conducted under continuity of operations (COOP) plans. Also includes background documents such as instructions to members participating in test, staffing assignments, messages, and tests of communications and facilities.

Disposition Instructions:

Item a: Consolidated and comprehensive reports

- **Disposable**
- Close inactive records when report is completed.
- Destroy 5 years after file closure.

Item b: Background documents

- **Disposable**
- Close inactive records when report is completed.
- Destroy 3 years after file closure.

Guidance:

COOP plans are scheduled as EPA 602. See EPA 233 for disaster response and records created and received during an actual COOP activation.

Reasons for Disposition:

The following changes were made in the 08/31/2008 version:

- Revised schedule title from Emergency Operations Tests Files to Continuity of Operations (COOP) Exercises.
- Changed program applicability from Emergency Prevention, Preparedness and Response to All Programs.
- Revised description and guidance

The disposition instructions for item a were rewritten as media neutral to allow for maintaining the record copy in EPA's electronic recordkeeping system. The retention for item a was changed from permanent to 5 years. Disposition for item b conforms to NARA's General Records Schedule 18, item 28.

Item c for electronic mail and word processing system copies deleted 08/23/2006 pursuant to NARA Bulletin 2006-04

Custodians:

Multiple units

Related Schedules:

EPA 233, EPA 602

Previous NARA Disposal Authority:

NC174-118/III/4 and 5, NC1-412-85-26/II/3

Entry: 09/08/1993

EPA Approval: 05/24/2007

NARA Approval: 04/18/2008

EPA Records Schedule 603

Status: Final, 08/31/2008

Title: Continuity of Operations (COOP) Exercises

Program: All Programs

Applicability: Agency-wide

Function: 302-095 - Continuity of Operations

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.

- N1-412-07-54/8 (Item a)
- GRS 18/28 (Item b)

Description:

Contains consolidated or comprehensive reports reflecting Agency-wide results of tests conducted under continuity of operations (COOP) plans. Also includes background documents such as instructions to members participating in test, staffing assignments, messages, and tests of communications and facilities.

Disposition Instructions:

Item a: Consolidated and comprehensive reports

- **Disposable**
- Close inactive records when report is completed.
- Destroy 5 years after file closure

Item b: Background documents

- **Disposable**
- Close inactive records when report is completed.
- Destroy 3 years after file closure.

Guidance:

COOP plans are scheduled as EPA 602. See EPA 233 for disaster response and records created and received during an actual COOP activation.

Reasons for Disposition:

The following changes were made in the 08/31/2008 version:

- Revised schedule title from Emergency Operations Tests Files to Continuity of Operations (COOP) Exercises.
- Changed program applicability from Emergency Prevention, Preparedness and Response to All Programs.
- Revised description and guidance.

The disposition instructions for item a were rewritten as media neutral to allow for maintaining the record copy in EPA's electronic recordkeeping system. The retention for item a was changed from permanent to 5 years. Disposition for item b conforms to NARA's General Records Schedule 18, item 28.

Item c for electronic mail and word processing system copies deleted 08/23/2006 pursuant to NARA Bulletin 2006-04.

Custodians:

Multiple units

Related Schedules:

EPA 233, EPA 602

Previous NARA Disposal Authority:

NC174-118/III/4 and 5, NC1-412-85-26/II/3

Entry: 09/08/1993

EPA Approval: 05/24/2007

NARA Approval: 04/18/2008