

NOTICE - SOME ITEMS SUPERSEDED OR OBSOLETE

Schedule Number: N1-412-07-055

Some items in this schedule are either obsolete or have been superseded by new NARA approved records schedules. This information is accurate as of: 8/24/2020

ACTIVE ITEMS

These items, unless subsequently superseded, may be used by the agency to disposition records. It is the responsibility of the user to verify the items are still active.

Item 1A, Formerly Used Defense Sites (FUDS)

SUPERSEDED AND OBSOLETE ITEMS

The remaining items on this schedule may no longer be used to disposition records. They are superseded, obsolete, filing instructions, non-records, or were lined off and not approved at the time of scheduling. References to more recent schedules are provided below as a courtesy. Some items listed here may have been previously annotated on the schedule itself.

All other items are superseded by DAA-0412-2013-0021.

NOTICE - SOME ITEMS SUPERSEDED OR OBSOLETE

REQUEST FOR RECORDS DISPOSITION AUTHORITY		JOB NUMBER <i>N1-412-07-55</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 U.S.C. 3303a, the disposition request, including amendments, is approved except for items that may be marked <u>Adisposition not approved</u> or <u>Awithdrawn</u> in column 10.	
2. MAJOR SUBDIVISION OSWER			
3. MINOR SUBDIVISION Agency-wide, Headquarters, Regions			
4. NAME OF PERSON WITH WHOM TO CONFER John B. Ellis	5. TELEPHONE 202-566-1643	DATE <i>3/21/08</i>	ARCHIVIST OF THE UNITED STATES <i>[Signature]</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 10 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>[Signature]</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 GRS OR SUPERSEDED JOB CITATION	10.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 015 Formerly Used Defense Sites (FUDS)

N1-412-04-3

2. EPA 044 Risk Management Plan (RMP) Implementation Records

N1-412-05-3

3. EPA 048 EPCRA Trade Secret Files

N1-412-05-3

4. EPA 201 RCRA Solid Waste Management Plans

N1-412-85-18/22

5. EPA 215 Underground Storage Tanks Site And Facility Files

N1-412-94-4/9

Re 3/28/08 copies sent to agency, NWMW, DR, & UWCT

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 015

Status: Development, 04/27/2007

Title: Formerly Used Defense Sites (FUDS)

Program: Superfund

Applicability: Agency-wide

Function: 108-024-01-03 - Federal Facilities Restoration

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:

Includes documents related to investigation and clean up activities of hazardous waste at formerly used defense sites (FUDS), also known as the Formerly Utilized Sites Remedial Action Program, carried out by the Army Corps of Engineers, in cooperation with EPA. Documentation may include sampling and assessment of contaminated areas, characterization of site conditions, determination of the nature and extent of contamination, selection of response actions, cleanup and closeout of sites, and correspondence with EPA, other federal, or state agencies.

Disposition Instructions:

Item a: Record copy

~~Disposible~~ Temp

- Close inactive records when EPA concurs with notification of no further action from Corps of Engineers.
- Destroy 20 years after file closure.

Item b: (Reserved)

Guidance:

Records for FUDS placed on the National Priorities List (NPL) become part of the remedial site file and are covered by EPA 014. Records for EPA removal actions are covered by EPA 013. Records for

Superfund site-specific enforcement actions are covered by EPA 025 and other programs by EPA 207.

If records are for sites on Tribal lands, the EPA office must notify the Agency Records Officer so that the schedule can be revised and resubmitted to NARA.

Specific legal citations include:

- Superfund Amendments and Reauthorization Act of 1986, Section 211
- Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, Sections 104 and 106
- Resource Conservation and Recovery Act, as amended, Sections 3008, 3013, 7003, 9003, 9006, 9007
- Safe Drinking Water Act, as amended, Section 1431
- 40 CFR Part 141-146
- 40 CFR Part 271, 281
- 40 CFR Part 300, 302
- Executive Order 12580

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 is unchanged.

The following items were deleted 08/14/2006:

Item b - Copies on optical disks and CD-ROMs was deleted as nonrecords.

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

Custodians:

Multiple units

Related Schedules:

EPA 013, EPA 014, EPA 025, EPA 207

Previous NARA Disposal Authority:

N1-412-04-3

Entry: 06/18/2001

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 044

Status: Development, 04/27/2007

Title: Risk Management Plan (RMP) Implementation Records

Program: Emergency Prevention, Preparedness and Response

Applicability: Agency-wide

Function: 104-008-02 - EPA Emergency Preparedness

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 documents relating to implementation of the Clean Air Act, Section 112(r), which requires facilities to develop risk management programs which will prevent and minimize consequences of accidental releases of certain hazardous chemicals that could harm public health and the environment. Facilities submit risk management plans (RMPs) every five years, or more frequently per 40 CFR Part 68. Includes RMPs, facility audit reports, correspondence, and other program implementation documents.

Disposition Instructions:

Item a: Record copy

~~• Disposable~~ *Temp*

- Close inactive records at end of year.
- Destroy 7 years after file closure.

Guidance:

The Office of Solid Waste and Emergency Response (OSWER) at Headquarters (via the reporting center) is responsible for the original, submitted RMPs. But, the implementing agencies (which may include state or local agencies with appropriate delegation) will manage the records related to their implementation of the RMP program. Records related to state authorizations are covered in EPA 204.

If no state or local agency is granted delegation, the appropriate EPA regional office will be the implementing agency for that state. Records related to the oversight of the state program are covered in EPA 203.

Compliance files are scheduled as EPA 211 and enforcement actions as EPA 207.

RMP data is entered into the System for Risk Management Plans (SRMP), a suite of electronic systems covered by EPA 047.

Records containing sensitive information (e.g., offsite consequence analysis (OCA) data) must be shredded or otherwise definitively destroyed to protect confidentiality.

Specific legal citations include, but are not limited to:

- Clean Air Act, as amended, Section 112(r)
- 40 CFR Part 68
- Chemical Safety Information, Site Security and Fuels Regulatory Relief Act (Amendment to the Clean Air Act)
- 40 CFR Part 1400

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, Office of Emergency Prevention, Preparedness and Response

- **Contact:** Dorothy McManus
- **Telephone:** 202-564-8606

Related Schedules:

EPA 047, EPA 203, EPA 204, EPA 207, EPA 211

Previous NARA Disposal Authority:

N1-412-05-3

Entry: 08/09/1999

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 048

Status: Development, 04/27/2007

Title: EPCRA Trade Secret Files

Program: Superfund

Applicability: Headquarters

Function: 104-008-02 - EPA Emergency Preparedness

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 documents relating to the requirement for submission of information to state and local governments on the presence, inventory and storage of chemical substances by facilities under Sections 303, 311 and 312 of Title III of the Superfund Amendments and Reauthorization Act (SARA) of 1986, the Emergency Planning and Community Right-To-Know Act (EPCRA). Information collected includes trade secret claims submitted to EPA under Section 322 of SARA Title III and includes information collected relating to the accuracy of a claim of trade secret for the identity of substances reported under Sections 303, 311 and 312. Includes chemical identity, substantiation of trade secret eligibility, and other information on the chemical for which trade secret protection is being claimed.

Disposition Instructions:

Item a: Record copy

~~Disposable~~ *Temp*

- Close inactive records at end of year.
- Destroy 20 years after file closure.

Guidance:

Toxic substances files maintained in EPA regional offices are covered in EPA 227 and files related to state oversight in EPA 203. The Toxic Release Inventory System (TRI) is scheduled as EPA 153.

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

Records received in the office are for the preceding calendar year. Retire files in sealed boxes. Retrieve only whole boxes. Access is limited to EPA employees or authorized EPA contractors.

Legal citations include:

- SARA, Title III, Emergency Planning and Community Right-To-Know Act, Sections 303, 311 and 312
- 40 CFR Part 372

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 schedule title was changed from Trade Secret Files Under Emergency Planning and Community Right-To-Know Act for Sections 303, 311 and 312 in the 02/12/2007 version.

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, Emergency Prevention, Preparedness and Response

- **Contact:** Dorothy McManus
- **Telephone:** 202-564-8606

Related Schedules:

EPA 153, EPA 203, EPA 227

Previous NARA Disposal Authority:

N1-412-05-3

Entry: 02/05/1995

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 201

Status: Development, 04/27/2007

Title: RCRA Solid Waste Management Plans

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). Records designated for permanent retention must be transferred to the National Archives in accordance with NARA standards at the time of transfer.

- Pending

Description:

Includes records that document the process for approving state and municipal plans which address all solid waste with potential adverse effects on health or the environment or opportunity for resource conservation or resource recovery. Records consist of a copy of the proposed state and municipal plan, capacity assurance plans, review and evaluation of the plan, correspondence between states and EPA, public notices and comments, plan revisions, and other related records.

Disposition Instructions:

Item a: Record copy

~~• Disposable~~ *Temp*

- Close inactive records when plan is revised or discontinued.
- Destroy 5 years after file closure.

Guidance:

The record copy is held by the headquarters or regional office responsible for approval of the plans. This responsibility varies according to the status of state authorization, but for most states, approval is the responsibility of the regional office. Draft documents may be destroyed by program offices after approval of the final plan. On-site reference sets of these documents may be maintained by offices other than the office of responsibility to support on-going program activities. All other informational and review copies can be destroyed when superseded or no longer needed.

Records related to state authorizations are scheduled as EPA 204 and records related to oversight of state programs are scheduled as EPA 203.

Reasons for Disposition:

The disposition instructions were rewritten 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 08/16/2006 pursuant to NARA Bulletin 2006-04.

Custodians:

Multiple units

Related Schedules:

EPA 203, EPA 204

Previous NARA Disposal Authority:

NC1-412-85-7/5, NC1-412-85-18/22

Entry: 02/20/1992

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 215

Status: Development, 04/27/2007

Title: Underground Storage Tanks Site and Facility Files

Program: Underground Storage Tanks

Applicability: Regions

Function: 108-025-04 - Manage Risks from Underground Tanks

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 that document the management of the underground storage tank (UST) program. Includes release reports, site characterization reports, financial assurance, evaluations, information requests, and inspection and sampling reports.

Disposition Instructions:

Item a: Record copy

~~• Disposable~~ *Temp*

- Close inactive records at end of year.
- Destroy 10 years after file closure.

Item b: (Reserved)

Item c: (Reserved)

Guidance:

If authorized states maintain 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's regulations, the requirements should be

established in a memorandum of understanding.

Program office may retain files in the office if the site or facility is likely to become a compliance or enforcement issue. EPA 207 covers enforcement actions and EPA 211 covers compliance files.

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

Specific legal citations include:

- Resource Conservation and Recovery Act, as amended, Section 9001
- 40 CFR Part 280

Reasons for Disposition:

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

The following items were deleted 08/17/2006:

Item b - Electronic copies created with word processing and electronic mail applications deleted pursuant to NARA Bulletin 2006-04.

Item c - Copies on optical disk and CD-ROM deleted as nonrecords.

Custodians:

Multiple units

Related Schedules:

EPA 207, EPA 211

Previous NARA Disposal Authority:

N1-412-94-4/9

Entry: 02/20/1992

EPA Approval: Pending

NARA Approval: Pending