

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 135

Status: Development, 02/29/2008

Title: 309 Review and Comment Files

Program: All Programs

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.

- Pending

Description:

Contains documents used in review and coordination of EPA comments on projects that may impact on the environment.

Disposition Instructions:

Item a(1)(a): 309 review comment file - Nonelectronic

Includes official Agency comments made pursuant to Section 309 of the Clean Air Act regarding environmental impact statements (EISs), regulations, legislation and other major federal actions, associate reviewer comments, a copy of materials reviewed, and other associated materials.

- **Permanent**
- Close inactive records upon completion of project review after final comment issuance.
- Transfer to the National Archives ^{or} 20 years after file closure.

Item a(1)(b): 309 review comment file - Electronic

Includes official Agency comments made pursuant to Section 309 of the Clean Air Act regarding environmental impact statements (EISs), regulations, legislation and other major federal actions, associate reviewer comments, a copy of materials reviewed, and other associated materials.

- **Permanent**

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- Close inactive records upon completion of project review after final comment issuance.
- 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(1)(c): 309 review comment file - Electronic copy of records transferred to the National Archives

Includes official Agency comments made pursuant to Section 309 of the Clean Air Act regarding environmental impact statements (EISs), regulations, legislation and other major federal actions, associate reviewer comments, a copy of materials reviewed, and other associated materials.

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

Item a(2): 309 review report

Includes computer-generated data summarizing official 309 reviews, Federal Register notices, and other associated materials.

- **Disposable**
- Close inactive records at end of reporting cycle.
- Destroy 15 years after file closure.

Item a(3): Summarized comments

- **Disposable**
- Close file when comments are summarized.
- Destroy after file is closed.

Guidance:

Each office acting as a principal reviewer under the Section 309 Policy Act Manual is responsible for maintaining the record copy.

Environmental impact statements are logged into the Environmental Review Tracking System (ERP/ERTS) - EPA 057. NEPA preparation files are scheduled as EPA 134.

Environmental assessments submitted to EPA that are not part of the 309 process may be filed as program management files scheduled as EPA 006.

Previous schedule items combined into this schedule were for the following programs: Enforcement and General Counsel, Regional Administrator, Federal Activities, Water, Toxic Substances, Mobile Source, Air and Hazardous Waste, Research and Development, and Pesticides. Specific item numbers are cited

below.

Reasons for Disposition:

Item a(3) for summarized comments was added to allow for destruction or deletion of comments after they have been summarized and the summary has been added to the permanent record maintained under item a(1).

The other changes made in the 02/29/2008 version include:

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

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 006, EPA 057, EPA 134

Previous NARA Disposal Authority:

NC174-255/3, NC1-412-75-5/9, NC1-412-76-1/I/12, NC1-412-76-1/II/3, NC1-412-76-1/III/16, NC1-412-76-9/29, NC1-412-76-15/10, NC1-412-77-5/18, NC1-412-84-1/4 and 5, NC1-412-85-6/29, NC1-412-85-12/14, NC1-412-85-14/15, NC1-412-85-18/3, NC1-412-85-19/10, NC1-412-85-22/18, NC1-412-85-24/10, N1-412-94-2/20, N1-412-99-2/3, N1-412-07-2/5

Entry: 08/21/1991

EPA Approval: Pending

NARA Approval: Pending