

REQUEST FOR RECORDS DISPOSITION AUTHORITY

(See Instructions on reverse)

LEAVE BLANK

JOB NO.

NI-412-86-5

DATE RECEIVED

8-4-86

TO: **GENERAL SERVICES ADMINISTRATION
NATIONAL ARCHIVES AND RECORDS SERVICE, WASHINGTON, DC 20408**

1. FROM (Agency or establishment)

Environmental Protection Agency

2. MAJOR SUBDIVISION

Office of General Counsel

3. MINOR SUBDIVISION

4. NAME OF PERSON WITH WHOM TO CONFER

Harold Webster
Thomas Tasker

5. TELEPHONE EXT.

382-5912
382-5911

DATE

9.22.86

ARCHIVIST OF THE UNITED STATES

WITHDRAWN

6. CERTIFICATE OF AGENCY REPRESENTATIVE

I hereby certify that I am authorized to act for this agency in matters pertaining to the disposal of the agency's records; that the records proposed for disposal in this Request of 6 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, if required under the provisions of Title 8 of the GAO Manual for Guidance of Federal Agencies, is attached.

A. GAO concurrence: is attached; or is unnecessary.

B. DATE

7/30/86

C. SIGNATURE OF AGENCY REPRESENTATIVE

Thomas Tasker
Thomas Tasker

D. TITLE

Agency Records Management Officer

7. ITEM NO.

1-- 13

8. DESCRIPTION OF ITEM
(With Inclusive Dates or Retention Periods)

The Office of General Counsel Records Control Schedule is being revised to provide coverage for the Privacy Act Appeal Files.

Attached is a copy of the revised Office of General Counsel Records Control Schedule.

9. GRS OR SUPERSEDED JOB CITATION

NC1-42-84-2

10. ACTION TAKEN. (NARS USE ONLY)

WITHDRAWN

(1 item)

U.S. ENVIRONMENTAL PROTECTION AGENCY—RECORDS CONTROL SCHEDULES

SCHED. NO.

TITLE OF SCHEDULE		COVERAGE OF SCHEDULE
GENERAL COUNSEL RECORDS		APPLICABLE HEADQUARTERS OFFICE
ITEM NO.	NAME AND DESCRIPTION OF RECORD/FILE	RETENTION PERIOD AND DISPOSITION
1.	<u>PROGRAM MANAGEMENT FILE</u> Contains documents relating to the management, operation, development, and guidance of the Office of General Counsel.	<u>Retention:</u> Retain 10 years. <u>Disposition:</u> Break file at the end of 1 year. Keep in office 2 additional years, then send to Federal Record Center (FRC). Keep in FRC for 8 years.
2.	<u>LEGAL INTERPRETATION AND OPINIONS</u> a. Requests for and responses to requests for legal interpretations and opinions relative to the intent and application of environmental laws and regulations. b. Background material including letters, memos, laboratory reports, Federal Register clippings, and excerpts from court transcripts.	<u>Retention:</u> Permanent. <u>Disposition:</u> Break file upon the expiration, amendment, or revision of an act or regulation. Keep in office 15 years, then offer to the National Archives in 15 year blocks. <u>Retention:</u> Retain 10 years. <u>Disposition:</u> Break file at the end of 1 year. Keep in office 2 additional years, then send to the FRC. Keep in FRC for 8 years, then destroy.
3.	<u>DEFENSIVE LITIGATION INVOLVING EPA</u> <u>Clean Air Act, Clean Water Act, Safe Drinking Water Act, Federal Insecticide, Fungicide, and Rodenticide Act, Toxic Substances Control Act, Resource Conservation and Recovery Act, Comprehensive Environmental Response, Compensation and Liability Act, Uranium Mill Tailings Radiation Control Act, and Marine Protection, Research and Sanctuaries Act:</u> Records consist of court pleadings and opinions.	<u>Retention:</u> Retain 10 years after completion or termination of case. <u>Disposition:</u> Break file upon completion of case. Keep in office 1 additional year, then send to FRC. Keep in FRC for 9 years, then destroy.

RECORDS MANAGEMENT MANUAL

U.S. ENVIRONMENTAL PROTECTION AGENCY—RECORDS CONTROL SCHEDULES

SCHED. NO.

TITLE OF SCHEDULE		COVERAGE OF SCHEDULE
GENERAL COUNSEL RECORDS		APPLICABLE HEADQUARTERS OFFICE
ITEM NO.	NAME AND DESCRIPTION OF RECORD/FILE	RETENTION PERIOD AND DISPOSITION
4.	<p><u>DEVELOPMENT OF ENFORCEMENT AND ENVIRONMENTAL STANDARDS BY STATES</u></p> <p>Submission, progress, and status of documents pertaining to environmental standards being enacted into law by States and Territories and submitted to EPA for review and approval. Records consist of letters requesting legal interpretation and opinions, copies of State acts or programs, regional office reviews and comments, and technical reviews.</p>	<p><u>Retention:</u> Retain 10 years after completion of program.</p> <p><u>Disposition:</u> Break file upon completion of program. Keep in office 1 additional year, then send to FRC. Keep in FRC for 9 years, then destroy.</p>
5.	<p><u>REGULATIONS</u></p> <p><u>Clean Air Act, Clean Water Act, Safe Drinking Water Act, Federal Insecticide, Fungicide, and Rodenticide Act, Toxic Substances Control Act, Resource Conservation and Recovery Act, Comprehensive Environmental Response, Compensation and Liability Act, Uranium Mill Tailings Radiation Control Act, and Marine Protection, Research and Sanctuaries Act:</u> File contains documents and data relating to the entire Act, sections of the Act, interpretations and implementation of the Act. Such data are presented in the form of memos, reports, newspaper and magazine articles, and correspondence. Subjects consist of meetings and agenda for meetings, notices of changes in the sections of the Act, and notices of proposed rule changes relating to the Act.</p>	<p><u>Retention:</u> Retain 25 years.</p> <p><u>Disposition:</u> Break file when regulation is completed. Keep in office 1 additional year, then send to FRC. Keep in the FRC for 24 years, then destroy.</p>
6.	<p><u>INFORMATION LAW</u></p> <p>a. <u>Patent Copyright and Data Rights and Interpretations.</u> Consists of documents pertaining to patent, copyright and data rights under contracts, grants and cooperative agreements awarded by EPA. Also, involves right of EPA to use patented inventions and copyrighted material. Documents include copies of contracts, grants, and other awards, requests for proposals, disclosures of inventions, affidavits waivers, and internal and external correspondence between contractors, etc., and EPA regarding negotiations on invention, data and copyright matters, including waiver of rights decisions. Also, includes documents regarding licensing of EPA inventions.</p>	<p><u>Retention:</u> Retain 15 years after completion or termination of contract, grant or cooperative agreement or last action taken regarding the matter involved if no contract, grant or like is involved.</p> <p><u>Disposition:</u> Break file upon the completion or termination of contract, grant or cooperative agreement. Keep in office 3 additional years, then send to FRC. Destroy when 15 years old.</p>

RECORDS MANAGEMENT MANUAL

WITHDRAWN

U.S. ENVIRONMENTAL PROTECTION AGENCY—RECORDS CONTROL SCHEDULES

SCHED. NO.

TITLE OF SCHEDULE		COVERAGE OF SCHEDULE
GENERAL COUNSEL RECORDS		APPLICABLE HEADQUARTERS OFFICE
ITEM NO.	NAME AND DESCRIPTION OF RECORD/FILE	RETENTION PERIOD AND DISPOSITION
	<p>b. <u>Disclosure of Inventions Made Under Grants, Contracts and by EPA Employees.</u> Consists of documents disclosing inventions made by contractors, grantees and recipients of other types of EPA awards, and EPA employees. File consists of patent applications, correspondence with U.S. Patent and Trademark Office (PTO) and with inventors and other documents related to prosecution of patent applications in the PTO. Also, lists and copies of issued EPA owned U.S. patents.</p>	<p><u>Retention:</u> Retain 15 years after completion or termination of contract, grant or cooperative agreement or last action taken regarding the matter involved if no contract, grant or like is involved.</p> <p><u>Disposition:</u> Break file upon the completion or termination of contract, grant or cooperative agreement. Keep in office 3 additional years, then send to FRC. Destroy when 15 years old.</p>
	<p>c. <u>Freedom of Information Appeals Files.</u> Includes copies of incoming appeal (or in the case of a request for information claimed confidential the request and denial) of the denial of information requested and pursuant to the Freedom of Information Act, official legal determination and other related records.</p>	<p><u>Retention:</u> See disposition.</p> <p><u>Disposition:</u> Destroy 4 years after final determination by agency or 3 years after final adjudication by courts, whichever is later.</p>
	<p>d. <u>Privacy Act Appeal Files.</u> Includes copies of incoming appeal for records or request to amend a record. Consist of all files created in responding to appeals under the Privacy Act.</p>	<p><u>Retention:</u> See disposition.</p> <p><u>Disposition:</u> Dispose of in accordance with the approved disposition instructions for the related subject individual's record or 3 years after final adjudication by courts, whichever is later.</p>
7.	<p><u>GENERAL LAW</u></p> <p>a. <u>EPA General Law Files.</u> Consists of records related to ethics and standards of conduct, financial disclosures, contracts, appropriations, and real property. Records consist of financial disclosure forms and legal opinions and files.</p>	<p><u>Retention:</u> Retain 10 years.</p> <p><u>Disposition:</u> Break file at the end of 1 year. Keep in office 6 additional years, then send to FRC. Keep in FRC for 4 years, then destroy.</p>

RECORDS MANAGEMENT MANUAL

U.S. ENVIRONMENTAL PROTECTION AGENCY—RECORDS CONTROL SCHEDULES

SCHED. NO.

TITLE OF SCHEDULE		COVERAGE OF SCHEDULE
GENERAL COUNSEL RECORDS		APPLICABLE HEADQUARTERS OFFICE
ITEM NO.	NAME AND DESCRIPTION OF RECORD/FILE	RETENTION PERIOD AND DISPOSITION
	<p>b. <u>EPA Claims Files.</u> Consists of records related to the considerations and settlement of claims by and against the U.S. Includes Federal tort claims, employees' claims, waivers of claims, claim collection actions and other related actions. Records consist of claims forms, supporting documentation and other evidence, and Claims Officers determinations.</p>	<p><u>Retention:</u> Retain 10 years.</p> <p><u>Disposition:</u> Break file upon final resolution of claims. Keep in office 5 additional years, then send to FRC. Keep in FRC for 5 years, then destroy.</p>
	<p>c. <u>EPA Personnel Law Files.</u> Consists of records related to discrimination, labor relations, adverse employee actions and labor standards appeals or complaints. Records consist of complaint files of actions filed before administrative agencies or in federal courts.</p>	<p><u>Retention:</u> Retain 7 years.</p> <p><u>Disposition:</u> Break file upon final decision by court or administrative agency. Keep in office 2 additional years, then send to FRC. Keep in FRC for 5 years, then destroy.</p>
8.	<p><u>BID PROTEST APPEALS</u></p> <p>Consists of copies of notice of appeal, written memoranda or arguments, legal briefs (if any filed), transcripts of any hearings held, correspondence, and decision by the Regional Administrator.</p>	<p><u>Retention:</u> Retain 10 years.</p> <p><u>Disposition:</u> Break file at the end of 2 years, then send to FRC. Keep in FRC for 8 additional years, then destroy.</p>
9.	<p><u>GRANT APPEAL FILES.</u></p> <p>Consists of copies of notice of appeal and any requests for reconsideration, appeal file documents and exhibits, correspondence, legal briefs, statements, memoranda, transcripts of any hearings held, and orders and decisions by the Board.</p>	<p><u>Retention:</u> Retain 10 years.</p> <p><u>Disposition:</u> Break file at the end of 1 year, then send to FRC. Keep in FRC for 9 additional years, then destroy.</p>
10.	<p><u>JOB APPLICATIONS - ATTORNEYS</u></p> <p>Solicited and unsolicited applications for jobs as attorneys in EPA. Records consist of letters requesting jobs, resumes and photos, interview notes, and comments.</p>	<p><u>Retention:</u> Retain 6 months after review and evaluation.</p> <p><u>Disposition:</u> Break file at the end of 6 months, then destroy.</p>

RECORDS MANAGEMENT MANUAL

U.S. ENVIRONMENTAL PROTECTION AGENCY—RECORDS CONTROL SCHEDULES

SCHED. NO.

TITLE OF SCHEDULE		COVERAGE OF SCHEDULE
GENERAL COUNSEL RECORDS		APPLICABLE HEADQUARTERS OFFICE
ITEM NO.	NAME AND DESCRIPTION OF RECORD/FILE	RETENTION PERIOD AND DISPOSITION
11.	<u>Controlled and Major Correspondence of the General Counsel.</u> Includes copies of controlled and major correspondence signed by the General Counsel. The correspondence significantly documents the program activities and was processed under special handling control procedures because of the importance of the letters or time requirements of replies.	<p><u>Retention:</u> Permanent.</p> <p><u>Disposition:</u> Break file at end of year. Keep in office current year plus 1 additional year, then transfer to the FRC. Keep in FRC for 15 years, then offer to the National Archives in 15 year blocks.</p>
12.	<u>General Correspondence of the General Counsel.</u> Includes copies of non-controlled (routine) correspondence. Records consist of incoming letters and enclosures.	<p><u>Retention:</u> Retain 5 years.</p> <p><u>Disposition:</u> Break file at end of year. Keep in office 1 year, then transfer to the FRC. Destroy when 5 years old.</p>
13.	<u>Speeches by General Counsel or Staff.</u> Speeches prepared for delivery at civic functions and professional conferences and meetings.	<p><u>Retention:</u></p> <p>a. <u>Record Copy.</u> Permanent.</p> <p>b. <u>Information Copies.</u> Retain 1 year.</p> <p><u>Disposition:</u></p> <p>a. <u>Record Copy.</u> Break file after presentation. Keep in office 5 years, then transfer to the FRC. Keep in FRC for 15 years, then offer to the National Archives in 15 year blocks.</p> <p>b. <u>Information Copies.</u> Destroy when 1 year old or sooner if no longer needed.</p>

RECORDS MANAGEMENT MANUAL

Atch to SF 115 (Revised Item Numbers compared to Previous Item Numbers,
Schedule Number, and NARS Job Number)

Title Of Schedule: General Counsel Records

<u>REVISED</u> <u>Item Numbers</u>	<u>Item No.</u>	<u>PREVIOUS</u> <u>Schedule No.</u>	<u>NARS Job No.</u>
1.	1.		NC1-412-84-2
2.	2.		
3.	3.		
4.	4.		
5.	5.		
6. (6.d. added)	6.a.b.c.		
7.	7.		
8.	8.		
9.	9.		
10.	10.		
11.	11.		
12.	12.		
13.	13.		

Atch to SF 115 (Info for "PERMANENT" retention records)

Title Of Schedule: General Counsel Records

<u>Item No.</u>	<u>Volume On Hand</u>	<u>Growth Per Year</u>	<u>Arrangement Of Files</u>
-----------------	---------------------------	----------------------------	---------------------------------

No "PERMANENT" retention records to report