

INACTIVE - ALL ITEMS SUPERSEDED OR OBSOLETE

Schedule Number: N1-412-99-024

All items in this schedule are inactive. Items are either obsolete or have been superseded by newer NARA approved records schedules.

Description:

This schedule is superseded by N1-412-07-021.

Date Reported: 08/31/2020

INACTIVE - ALL ITEMS SUPERSEDED OR OBSOLETE

REQUEST FOR RECORDS DISPOSITION AUTHORITY		JOB NUMBER NI-412-99-24	
To: NATIONAL ARCHIVES and RECORDS ADMINISTRATION (NIR) WASHINGTON, DC 20408		DATE RECEIVED November 19, 1998	
1. FROM (Agency or establishment) 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request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10.	
2. MAJOR SUBDIVISION			
3. MINOR SUBDIVISION			
4. NAME OF PERSON WITH WHOM TO CONFER Rachel Van Wingen	5. TELEPHONE 202/260-9709	DATE 10-23-02	ARCHIVIST OF THE UNITED STATES <i>E. W. Paul</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 <u> </u> 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 9/23/99	SIGNATURE OF AGENCY REPRESENTATIVE <i>Rachel Van Wingen</i> Rachel Van Wingen	TITLE Agency Records Officer	

	9. GRS OR SUPERSEDED JOB CITATION	10. ACTION TAKEN (NARA USE ONLY)
<p>See attached U.S. EPA Records Control Schedule for:</p> <p>208 683</p>		

cc Agency, DR NWMD, NWMLA

DRAFT OF 11/1/99

U.S. EPA RECORDS SCHEDULE

#/. SERIES TITLE: Criminal Enforcement Counsel

PROGRAM: Enforcement and Compliance Assurance

EPA SERIES NO: 683

AGENCY FILE CODE: ENFO 683

NARA DISPOSAL AUTHORITY: N1-412-99-24/2
(Use this number to retire records to the FRC)

APPLICABILITY: Agency-wide

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IDENTIFYING INFORMATION:

DESCRIPTION: Contains two types of records:

a. Record copy: Legal counsel and policy advice pertaining to specific criminal investigations and criminal prosecutions for violations of environmental laws and related criminal statutes:

(1) Cases that are investigated by the Criminal Investigation Division, but not referred to the Department of Justice because no targets were identified;

(2) Cases for which targets were identified, but the Department of Justice declined to prosecute;

(3) Cases prosecuted by the Department of Justice.

b. Record copy: Requests for and responses to requests for legal interpretations and opinions pertaining to the intent and application of environmental criminal laws and applicable regulations and policies, and related criminal laws. Records of general applicability to legal and policy aspects of environmental criminal investigations and enforcement actions. Requests for and responses to requests for legal advice, including policy considerations, pertaining to the management and functions of EPA's Office of Criminal Enforcement, Forensics, and Training.

c. Electronic versions created with office automation applications.

ARRANGEMENT: Varies

TYPE OF RECORDS:
Case filesSPECIFIC RESTRICTIONS:
Enforcement Sensitive InformationMEDIUM:
Paper, electronicVITAL RECORD:
No

FUNCTIONS SUPPORTED:

Enforcement activities and program management

SPECIFIC LEGAL REQUIREMENTS:

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1989
28 CFR 60.3(a)

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EPA SERIES NO. 683

DISPOSITION INFORMATION:

FINAL DISPOSITION:

a and b. Disposable

c. Disposable

TRANSFER TO FRC PERMITTED:

Yes

No

FILE BREAK INSTRUCTIONS:

a(1). Break file upon closing of the case.

(2). Break file after Department of Justice declines to prosecute the case.

(3). Break file after completion of prosecution.

b. Break file annually; bring forward active materials.

c. See Disposition Instructions.

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DISPOSITION INSTRUCTIONS:

a(1). Keep inactive materials in office up to 2 years after file break, then retire to FRC. Destroy 5 years after file break.

(2)e Keep inactive materials in office up to 5 years after file break, then retire to FRC. Destroy 10 years after file break.

(3)e Keep inactive materials in office up to 5 years after file break, then retire to FRC. Destroy 15 years after file break.

b. Keep inactive materials in office 5 years after file break, or until no longer needed, whichever is later; then retire to FRC. Destroy 15 years after file break.

c. Delete when record copy is generated.

APPLICATION GUIDANCE:

REASONS FOR DISPOSITION: Retention period for item a is consistent with EPA 208 - Criminal Investigation Records. Fifteen year retention for item b is sufficient for program needs.

AGENCY-WIDE GUIDANCE: This schedule applies to records in offices that provide legal and policy support to EPA's Office of Criminal Enforcement, Forensics, and Training. Included are records of legal support personnel within OECA, as well as legal support personnel within the various EPA regions (e.g. the Regional Criminal Enforcement Counsels).

Copies of these records may be filed with other records series and destroyed with those files, or destroyed when no longer needed.

The Criminal Docket System is scheduled as EPA 684 and Criminal Investigation Records as EPA 208.

PROGRAM OFFICE GUIDANCE/DESCRIPTIVE INFORMATION: Records in item a may be held in accordance with the retention for item b to the extent that the

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records are of general applicability rather than case-specific only. To the extent records meeting the description in this schedule are incorporated into other record schedules, such as EPA 006 (Program Management) or EPA 143 (Program Development), the records may be retained and disposed of in accordance with those schedules.

CUSTODIAL INFORMATION:

CONTROLLING UNIT: Multiple units CONTACT POINT:

Name:

Name:

Location:

Mail Code:

Inclusive Dates:

Telephone:

Volume on Hand (Feet):

Office:

Annual Accumulation:
(feet or inches)

Room:

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CONTROL INFORMATION:

RELATED ITEMS: EPA 208, EPA 684

PREVIOUSLY APPROVED BY
NARA SCHEDULE NOS:

Approval Date EPA	Approval Date NARA	Entry Date	Last Modified
7/17/95		3/29/95	11/1/99

DRAFT OF 10/6/99

U.S. EPA RECORDS SCHEDULE

#2. SERIES TITLE: Criminal Investigation Records

PROGRAM: Enforcement and Compliance Assurance

EPA SERIES NO: 208

AGENCY FILE CODE: ENFO 208

NARA DISPOSAL AUTHORITY: N1-412-99-24/1
(Use this number to retire records to the FRC)

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APPLICABILITY: Agency-wide

IDENTIFYING INFORMATION:

DESCRIPTION: Includes criminal investigation files compiled by Criminal Investigation units Agency-wide. Case files consist of items such as a completed criminal investigation package, search warrants, interview reports, investigation reports, lab analyses, indictments, plea agreements, business records, affidavits, and related records. The files fall into one of three categories:

- a. Record copy of closed cases - no referral for criminal prosecution: Cases that are investigated but not referred to the Department of Justice (DOJ) because no targets were identified or allegations were unfounded;
- b. Record copy of closed cases - prosecution declined: Cases for which targets were identified, but DOJ declined to prosecute;
- c. Record copy of closed cases - judicial action: Cases prosecuted by DOJ.
- d. Electronic versions created with office automation applications.

ARRANGEMENT: Arranged by fiscal year closed and thereunder by Criminal Investigation Division Area Office and media.

TYPE OF RECORDS:

Case files

SPECIFIC RESTRICTIONS:FOIA Restricted Information under
FOIA exemption 7**MEDIUM:**

Paper, electronic

VITAL RECORD:

No

FUNCTIONS SUPPORTED:

Enforcement activities

SPECIFIC LEGAL REQUIREMENTS:

Law Enforcement Authority, April 28, 1989, Federal Register, Wed. May 10,

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DISPOSITION INFORMATION:

FINAL DISPOSITION:

a-c. Disposable

d. Disposable

TRANSFER TO FRC PERMITTED:

Yes

No

FILE BREAK INSTRUCTIONS:

a-c. Break file upon completion of investigation or prosecution.

d. See Disposition Instructions.

DISPOSITION INSTRUCTIONS:

a. Keep in office up to 2 years after investigation is completed and case is closed, then retire to FRC. Destroy 5 years after case is closed.

b. Keep in office up to 5 years after DOJ declines to prosecute, then retire to FRC. Destroy 10 years after closing.

c. Keep in office up to 5 years after completion of prosecution, then retire to FRC. Destroy 15 years after closing.

d. Delete when record copy is generated.

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APPLICATION GUIDANCE:

REASONS FOR DISPOSITION: This disposition meets the retention requirements provided by the Criminal Investigation Division.

AGENCY-WIDE GUIDANCE: Criminal Enforcement Counsel records are scheduled as EPA 683. See EPA 684 for the Criminal Docket System, EPA 207 and EPA 025 for Enforcement Action Files for programs other than Superfund and Superfund, respectively. Oil Spill Site Specific enforcement records are covered in EPA 480.

PROGRAM OFFICE GUIDANCE/DESCRIPTIVE INFORMATION: Program should destroy duplicate materials before transferring to the Federal Records Center. Records are to be retired to the FRC in the Region in which the investigating unit is located.

CUSTODIAL INFORMATION:

CONTROLLING UNIT:

Name: Enfo. & Comp. Assurance

Location: Ariel Rios

Inclusive Dates: 1981-

Volume on Hand (Feet): 21 cu ft.

Annual Accumulation: 5 cu ft.
(feet or inches) Agency-wide

CONTACT POINT:

Name: Kevin S. Guarino

Mail Code: 2233A

Telephone: 202-564-2523

Office: Criminal Invest. Div.

Room: 1224R

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CONTROL INFORMATION:

RELATED ITEMS: EPA 025, EPA 207, EPA 480, EPA 683, EPA 684

PREVIOUSLY APPROVED BY
NARA SCHEDULE NOS:

Approval Date EPA	Approval Date NARA	Entry Date	Last Modified
7/17/95		4/16/92	10/6/99

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