



Office of the Chief  
Records Officer for the  
U.S. Government

***Sent Via Email. No Hard Copy to Follow.***

June 23, 2025

Paulette Murray  
Agency Records Officer  
Environmental Protection Agency  
1200 Pennsylvania Ave., NW MC 2822T  
Washington, DC 20460

Dear Ms. Murray:

The National Archives and Records Administration (NARA) acknowledges receipt of the Environmental Protection Agency's (EPA) report regarding the unauthorized disposition of Region 6 Office of Air and Radiation Division (ARD) records.

According to the report, external storage devices containing approximately 101 records, under disposal authority DAA-0412-2013-0010-0001, item 1.1 have been lost. Item 1.1 records are permanent and include final substantial rulemakings and related development and implementation records. The lost records, both non-confidential and confidential business information (CBI), were obtained from companies through official agency Information Collection Requests (ICR) associated with the 2016 Texas and Oklahoma Reasonable Progress Final Rule (2016 Rule). Additionally, the records included EPA's created analysis documents utilized as part of the 2016 Rule, and rulemaking documents for the ongoing 2023 Texas Best Available Retrofit Technology (BART) Proposed Rule.

NARA understands that in 2023, EPA staff conducted an extensive search, but were unsuccessful in locating the external storage devices. EPA confirms that some of the CBI have been retained, but the EPA analysis files that relied on the CBI have not been recovered. In 2024, EPA Region 6 issued a letter to notify the companies that submitted CBI documents of a potential disclosure of information.

To prevent a future loss of records, ARD has clarified the policies and procedures for handling CBI electronic records. ARD has implemented required CBI training for staff prior to accessing it as well as annual CBI training. Additionally, the exit procedures for records management have

been updated to require confirmation of the CBI records, their location, and assign a new custodian of the records.

Based on this information, the reporting requirements of 36 CFR 1230.14 have been met and NARA considers this matter closed. I appreciate your attention to this matter. If you have any questions or wish to discuss this further, please contact the Records Management Oversight and Reporting Program by email at [UnauthorizedDisposition@nara.gov](mailto:UnauthorizedDisposition@nara.gov).

Sincerely,

A handwritten signature in black ink that reads "William Fischer". The script is cursive and fluid, with the first name "William" and last name "Fischer" clearly distinguishable.

WILLIAM FISCHER  
Chief Records Officer  
for the U.S. Government (Acting)