

<b>REQUEST FOR RECORDS DISPOSITION AUTHORITY</b>		JOB NUMBER <i>71-412-07-19</i>	
To: NATIONAL ARCHIVES and RECORDS ADMINISTRATION (NIR) WASHINGTON, DC 20408		DATE RECEIVED <i>11/28/2006</i>	
1 FROM (Agency or establishment)  U.S. Environmental Protection Agency		<b>NOTIFICATION TO AGENCY</b>  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 Adisposition not approved≅ or Awithdrawn≅ in column 10.	
2 MAJOR SUBDIVISION			
3 MINOR SUBDIVISION			
4 NAME OF PERSON WITH WHOM TO CONFER  John B. Ellis	5 TELEPHONE  202-566-1643	DATE <i>4/2/02</i>	ARCHIVIST OF THE UNITED STATES <i>Alan W...</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 ___ 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,  is not required;    is attached; or    has been requested.			
DATE <i>11/16/06</i>	SIGNATURE OF AGENCY REPRESENTATIVE John B. Ellis <i>John B. Ellis</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7 Item No	8 DESCRIPTION OF ITEM AND PROPOSED DISPOSITION	9 GRS OR SUPERSEDED JOB CITATION	10 ACTION TAKEN (NARA USE ONLY)

EPA 690 Enforcement – Hazardous Waste Program

NC1-412-85-13/10c(1) and (2)

# EPA Records Schedule 690

**Status:** Final, 07/31/2008

**Title:** Enforcement - Hazardous Waste Program

**Program:** Enforcement and Compliance Assurance

**Applicability:** Headquarters

**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.

- N1-412-07-19

## **Description:**

Contains documents pertaining to the compliance monitoring and enforcement program for controlling hazardous waste. Includes documents and data relating to statements of program, guidance, policies, strategies, analysis of state laws, interim and final authorities and statements of Attorney General.

Also contains documents pertaining to EPA's enforcement of hazardous waste statutes, regulations, and standards. Documents include case development and litigation support files, background studies, legal documents, opinions, reports, attorney work product, surveillance reports, violation notices and compliance orders.

## **Disposition Instructions:**

**Item a:** Compliance monitoring and enforcement for controlling hazardous waste relating to state programs

- **Disposable**
- Close inactive records upon completion of program.
- Destroy 20 years after file closure.

**Item b(1):** Enforcement of hazardous waste statutes, regulations, and standards - Nonelectronic

- **Permanent**
- Close inactive records upon completion of action or appeals.
- Transfer to the National Archives in 5 year blocks 15 years after file closure.

**Item b(2):** Enforcement of hazardous waste statutes, regulations, and standards - Electronic

- **Permanent**
- Close inactive records upon completion of action or appeals
- 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 b(3):** Enforcement of hazardous waste statutes, regulations, and standards - Electronic copy of records transferred to the National Archives

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

**Guidance:**

See EPA 025 for Superfund site-specific enforcement actions and EPA 207 for other enforcement actions referred to Regional Counsel.

**Reasons for Disposition:**

The following changes were made in the 07/31/2008 version:

- Divided item b into three subitems, b(1)-(3).
- Revised the titles of disposition items b(1)-(3).
- Revised the disposition instruction for item b(3).

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

Item c for electronic copies created with word processing and electronic mail applications deleted 08/23/2006 pursuant to NARA Bulletin 2006-04.

**Custodians:**

Office of Enforcement and Compliance Assurance

- **Contact:**
- **Telephone:**

**Related Schedules:**

EPA 025, EPA 207

**Previous NARA Disposal Authority:**

NC174-255/13c (TN-28-C3/6c), NC1-412-85-13/10c(1) and (2)

**Entry:** 11/02/1993

**EPA Approval:** 11/16/2006

**NARA Approval:** 04/04/2007

**From:** Henry Wolfinger  
**To:** Adams, Margaret; Fultz, Elizabeth, Schauble, Jeanne, Stewart, Lynn  
**Date:** 7/31/2008 3:36:49 PM  
**Subject:** Fwd. Revised schedules

Colleagues -

Attached are updates of three previously approved EPA schedules (the final schedule, N1-412-07-65, can be omitted from your consideration, as it has yet to be approved). The minor language changes to the item titles, description, and contact information, as well as reorganization of disposition instructions, do not require resubmitting the schedules to NARA for approval

Please replace the existing versions of these schedules with the attached updates

Henry Wolfinger  
Appraisal Archivist  
Life Cycle Management Division (NWML)  
National Archives at College Park  
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F 301-837-3697  
henry.wolfinger@nara.gov

**CC:** Felton, Barbara; Lautenbacher.Jason@epamail.epa.gov;  
York.Sandy@epamail.epa.gov

**From:** <York.Sandy@epamail.epa.gov>  
**To:** <henry.wolfinger@nara.gov>  
**Date:** 7/31/2008 11:19:34 AM  
**Subject:** Revised schedules

Henry,

The attached schedules have some revisions this month so I'm sending updated copies

NARA no.	EPA no.	Change
N1-412-02-7	004	Revised schedule title and disposition   item c(2)
N1-412-07-19	690	Divided item b into three subitems
N1-412-07-25	010	Item d divided into three subitems
N1-412-07-65/5	668	Changed disposition of item a(2) from   (draft)   varies to disposable

(See attached file: 004.html)(See attached file: 010.html)(See attached file: 668.html)(See attached file: 690.html)

Sandy York, CRM  
ASRC Management Services  
Contract support for EPA's National Records Management Program  
303-840-0464 (voice) 303-840-0489 (fax)  
york.sandy@epa.gov

**CC:** <felton.barbara@epamail.epa.gov>, <Lautenbacher.Jason@epamail.epa.gov>

**From:** Henry Wolfinger  
**To:** York.Sandy@epamail.epa.gov  
**Date:** 2/15/2007 11:21:37 AM  
**Subject:** Re: Two Questions for You

Sandy -

Both of your proposed changes are editorial rather than substantive and no SF-115 need be submitted for such changes. I particularly like your first suggestion - clarifying the transfer instructions so that transfer takes place at a specified time after an event (e.g., closure of file).

We would like to receive electronic copies of the updates that we can insert into the previously approved jobs and distribute to other NARA stakeholder units with an interest in EPA records. This will hopefully ensure that NARA and EPA are working from the same page when the schedules are referenced and put to use.

I'm distributing copies of our exchange to other members of my workgroup so that they're aware of this arrangement.

Henry Wolfinger  
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>>> <York.Sandy@epamail.epa.gov> 2/15/2007 10:32 AM >>>  
Henry,

We've got two issues for your consideration.

First, the language we agreed to for transferring permanent electronic copies to NARA may need some tweaking. For those schedules where the file closure is based on an event (e.g., promulgation of a rule or completion of an activity), transferring every 5 years doesn't really make sense. Please see the attached schedule for an example. It should probably be transferring 5 years after file closure. For those kinds of cases, can we make that change in the disposition instructions without resubmitting them?

Second, we've run up against a character limit in Documentum for the titles of the schedules and the disposition items so we need to shorten some of them. Again, do we need to resubmit if we're making that kind of a change?

(See attached file 149.html)

Sandy York, CRM  
ASRC Management Services  
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york.sandy@epa.gov

CC: felton barbara@epamail.epa.gov, Flaherty, Kate, Hulmston, John, Watson, Leslie, Wilson, Yvonne

**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 690

**Status:** Development, 11/09/2006

**Title:** Enforcement - Hazardous Waste Program

**Program:** Enforcement and Compliance Assurance

**Applicability:** Headquarters

**Function:** 108-025-08 - Compliance and Enforcement

**NARA Disposal Authority:**

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- Pending

*Revised 3/20/2007*

### **Description:**

Contains documents pertaining to the compliance monitoring and enforcement program for controlling hazardous waste. Includes documents and data relating to statements of program, guidance, policies, strategies, analysis of state laws, interim and final authorities and statements of Attorney General.

Also contains documents pertaining to EPA's enforcement of hazardous waste statutes, regulations, and standards. Documents include case development and litigation support files, background studies, legal documents, opinions, reports, attorney work product, surveillance reports, violation notices and compliance orders.

### **Disposition Instructions:**

**Item a:** Compliance monitoring and enforcement for controlling hazardous waste relating to state programs

- Disposable
- Close inactive records upon completion of program. Destroy 20 years after file closure.

**Item b:** Enforcement of hazardous waste statutes, regulations and standards

- Permanent
- Close inactive records upon completion of action or appeals. Transfer nonelectronic records to the National Archives in 5 year blocks 15 years after file closure. Transfer electronic records to the National Archives every 5 years, with any related documentation and external finding aids, as specified in 36 CFR 1228.270 or standards applicable at the time.

**Guidance:**

See EPA 025 for Enforcement Action Files - Superfund Site-Specific and EPA 207 for Enforcement Action Files other than Superfund site-specific that are referred to Regional Counsel.

**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.

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