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Washington, DC 20460

EPA

FIFRA Confidential Business Information Security Manual

FIFRA Confidential Business Information Security Manual

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U.S. ENVIRONMENTAL PROTECTION AGENCY
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OPP SECURITY MANUAL

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SECTION I

INTRODUCTION

Confidential Business Information (CBI) is:

"any information in any form received by EPA from any person, firm, partnership, corporation, association, or local, state, or Federal agency which contains trade secrets, formula, commercial or financial information, and which has been claimed as confidential by the person submitting it and which has not been legally determined to be non-confidential by the EPA General Counsel under the procedures in 40 CFR Part 3, Subpart B".

[NOTE, at present all non-published data received from a registrant under FIFRA by OPP will be considered as CBI and treated as such.]

While FIFRA establishes the need and basis for the Agency to receive and use this information for official purposes; it also provides that CBI is entitled to protection from unauthorized release, and specifies penalties that can be imposed upon employees who are found to be responsible for disclosure of this information to unauthorized persons.

As employees of the Office of Pesticide Programs, you handle thousands of documents that contain CBI in connection with your official duties. Because your handling of these documents is complicated by needs to provide temporary storage, secure routing, judicious copying, and careful accountability for so many documents, we have prepared a manual of procedures that provides a reasonable amount of discipline and uniformity for these activities.

This Security manual is intended to prescribe uniform standards that will be met within OPP to guard against inadvertent release of CBI to unauthorized persons. We have also provided for the development and use of specific procedures by the Divisions to meet their specific needs, with the understanding that these procedures must meet the OPP standards. As an incentive for compliance, various disciplinary measures are provided for should these procedures be neglected. Much more strict penalties may of course be imposed for willful violations that result in the compromise of CBI. Your attention is directed to the section on scope and definitions for a discussion of the various types of documents and the treatment to be afforded to each.

This Security manual was prepared by a task force of representatives from all OPP divisions. It provides for document handling and other needs that are unique to OPP, while incorporating some features of the TSCA Security Manual. It contains guidelines for handling Confidential Business Information on the work site during routine business operations, and for routing CBI between official users. Safe storage facilities, procedures for copying and contract typing, document accountability and release, computer security, and designation of special program officials and their responsibilities are included. This manual is intended to be an updatable reference, and will be changed as needed.

As persons who are given access to these documents, you are expected to exercise care in handling them. This manual is a guide, but can only help afford the protection described in FIFRA. Your good faith efforts are the key. I urge you to study this security manual and the procedures that are specific to your division, and to work closely with your colleagues and designated officials to make this program work.

Edwin L. Johnson
Deputy Assistant Administrator
for Pesticides Programs

SECTION II

SCOPE AND DEFINITIONS

This manual specifies certain standards and procedures that deal with protecting documents that contain CBI from inadvertent release to unauthorized persons. These types of documents are described below. In certain circumstances, documents (or parts thereof) that are normally afforded protection may be released. Specific criteria and procedures for establishing the releasability of documents are covered in a companion document (OPP Document Release Policy) which will be published separately. While the specifics of document release are therefore beyond the scope of this manual, a general observation is appropriate here: that decisions to release documents often involve review by the ISB FOI staff, Division staffs and Directors, the DAA, and OGC. Individuals are therefore cautioned against making any unilateral determinations to release the documents described below.

1. Documents Covered by this Manual

   A. Documents that contain information specifically protected by statute (FIFRA Section 10(d)(1) and (2)) must not be released, except as provided for by Section 10. These documents are classified as CBI because they contain confidential statements of formula, manufacturing process, and quality control information, testing methods to identify inert ingredients, or production data.

   B. Documents that contain safety and efficacy data ("Company Data" is the term used in OPP) that are submitted by registrants must be protected from release until such time as current court suits are resolved and the releasability of this data thereby finally determined.

   C. Documents received by OPP from other organizations (associations, federal, state, or local agencies) who claim they contain CBI, must be protected from release.

   D. Documents developed by OPP or its contractors must be protected from release until a determination is made that referenced or contained CBI has been removed.

   E. Documents that are developed in OPP to express scientific or regulatory positions must be protected from release until a determination is made on their releasability.

2. Definitions

A. Access: the ability and opportunity to gain knowledge of Confidential Business Information in any manner whatsoever.

B. Archives: any collection of information held in common by an organizational group, i.e., data files under the care of any branch, section, division, etc.

C. Archiving: maintaining a set of records or data.

D. Authority: The Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended in 1978, provides in Section 7(d) and Section 10 that material may be entitled to treatment as trade secret or proprietary data. Section 12(a)(2)(D) makes it unlawful for any employee to use to his own advantage or to reveal any confidential information (except to persons needing the information for the performance of official duties). Section 10(f) makes it unlawful for any employee to disclose confidential information except as authorized by Section 7 and 10.

E. Authorized Computer Facility: any EPA or contractor computer facility which has been approved in accordance with OPP procedures for processing and/or retaining Confidential Business Information.

F. Authorized Person: an Authorized Person is one who has:

(1) Been certified by the Division Director (or equivalent) that CBI is required in the performance of official duties. This is accomplished by their signing and dating Section I of the "Access Authorization for FIFRA Confidential Business Information" form. (See Appendix A-1.)

(2) Signed and dated the FIFRA Confidentiality Agreement which is on record with their respective DCO (DCA). This is accomplished by the employee completing Section II of the "Access Authorization for FIFRA Confidential Business Information" form. (See Appendix A-1.)

(3) Had a National Agency check, which is a review of the files of the Federal Bureau of Investigation (including fingerprint files), the Office of Personnel Management, the House Internal Security Committee, and the military services, or other Government agencies, as appropriate. The files of the Immigration and Naturalization Service and the Central Intelligence Agency will be reviewed when the individual is an alien or a naturalized citizen of the United States.

G. Confidential Business Information (CBI): "any information in any form received by EPA from any person, firm, partnership, corporation, association, or local, state, or Federal agency which contains trade secrets, formula, commercial or financial information, and which has been claimed as confidential by the person submitting it and which has not been legally determined to be non-confidential by the EPA General Counsel under the procedures in 40 CFR Part 3, Subpart B." [Note: at present all non-published data received from a registrant under FIFRA by OPP will be considered as CBI and treated as such.]

H. Contractor or Subcontractor: any person, association, partnership, corporation, firm, educational institution, governmental body, or other entity performing work for EPA under a contract or subcontract with EPA.

I. Data: technical information submitted by registrants and others under FIFRA.

J. Disciplinary Action: failure to conform to provisions of this manual may result in disciplinary action as described in the EPA Conduct and Discipline Manual (chapter 5 and appendix C, Table of Offenses and Penalties, 35(B).

K. Documents: any recorded information regardless of its physical form or characteristics, including, written or printed material; data processing card decks, printouts, and tapes; maps, charts, drawings, working notes and papers; reproductions of such things by any means or process; and sound, voice or electronic recordings. Usually refers to items of technical data (either volumes or studies) with a unique (accession) number in the OPP archive.

L. Employee: any person employed by the Environmental Protection Agency on a full or part time basis. This definition does not include contractors, grantees, or their employees.

M. Information: knowledge which can be communicated by any means.

N. Penalties: may be levied for violating certain provisions of the law as follows:

FIFRA Section 12(a)(2)(D) makes it unlawful for any employee to use to his own advantage or to reveal any confidential information to unauthorized persons. Conviction of violating this section may result in penalties up to a $10,000 fine and 3 years in prison.

FIFRA Section 10(f) makes it unlawful for any employee to disclose confidential information except as authorized by Sections 7 and 10. Conviction of violating this section may result in penalties up to a $10,000 fine and 1 year in prison.

O. Secure Facility, Storage Room, or Area: any building or portion thereof which has been inspected and approved prior to use by the Security and Inspection Division, EPA, for the handling of FIFRA Confidential Business Information materials. This includes door locks (either changeable combinations and/or key locks) and ultrasonic devices to monitor entry during non-working hours.

P. Violations: It will be considered a security violation any time the guidelines in this manual are not followed, whether or not an unauthorized disclosure takes place. Violations will result in disciplinary action, which may include penalties.

Q. Volumes: any physical collection of data; especially the form submitted by the pesticide companies for consideration under FIFRA.

SECTION III

RESPONSIBILITIES

1. Division Directors are responsible for the protection of Confidential Business Information and the prevention of unauthorized access or release, while held within his/her division, as well as:

   A. Approving the "Access Authorization for FIFRA Confidential Business Information" form (for all employees in the division needing CBI access) by completing Section I of the form. (See Appendix A-1.)

   B. Reviewing reports of security violations that come from supervisors and DCO (DCA) personnel, taking appropriate disciplinary action, and referring them to the Inspector General's Office if CBI has been compromised. Copies of all violation reports will be sent to the Inspector General's Office.

   C. Delegating any of the following responsibilities (in writing) under these rules to a designated representative (the Document Control Officer (DCO), so that the day to day administration of the security procedures is assured.

   D. Obtaining the signature, EPA ID number, and employment date of the employee in Section II of the form entitled "Confidentiality Agreement for EPA Employees." (See Appendix A-1.)

   E. Forwarding a copy of the forms mentioned previously to the Division Document Control Officer (DCO) or Document Control Assistant (DCA) for retention. (See the next subsection for other duties of DCO's/DCA's.)

   F. Appointing DCO(s) and DCA(s) for his/her division, including the forwarding of the necessary signed forms (Appendix A) to the Security Branch of EPA (with a copy to the Office of the DAA).

      (1) DCO's shall have a minimum of: 1 year experience with OPP, be a GS 11, or higher, and have no financial conflict of interest as checked by the DAA.

      (2) DCA's shall be a minimum of a GS 4 clerical and have no financial conflict of interest as checked by the DAA.

G. Establishing Division specific CBI handling procedures, tracking methods, and secure areas within the division.

H. Assuring that a procedure exists whereby any employee terminating or transferring to a position not requiring access to FIFRA CBI is referred to a DCO prior to such action so that a Terminating Confidential Agreement can be obtained by the DCO. (See Appendix A-2.)

2. Document Control Officers (DCO's) are the focal point of the security system and are vital to the success to the system. They are responsible for:

A. Obtaining and forwarding to the Division Director (with a copy to the DAA for a check against Conflict of Interest forms) once the Access Authorization is approved, a copy of the SF-171 for any employee whose appointment falls within the following categories:

(1) Per diem, intermittent, temporary or seasonal employees when the appointments are specifically limited to three months or less.

(2) Clerical employees similar to stenographer, typist, or law clerk, for four months or less as summer temporaries.

(3) Experts and consultants employed on an intermittent basis when the appointment is limited to one year or less.

(4) Appointments limited to 700 hours or less.

B. Speaking for the Division Director in matters of CBI security, as delegated by the Division Director in writing.

C. Maintaining copies of all necessary forms used in these procedures as well as filing completed forms for future reference.

D. Producing needed procedures (for use within a division) that add needed detail to those outlined in this manual and distributing them to all appropriate staff members. Such procedures may not conflict with the basic provisions of this manual.

E. Establishing either a tracking system within his/her division or a secure reading area (see definitions: secured area) for safeguarding CBI materials. (Lacking a secured area that has been approved by the Security Branch, the tracking system must meet the same criteria as that met by the division to division tracking system, discussed in Section VI.)

F. The daily oversight of the security system, as well as occasional checks of the system such as spot checks for CBI not secured.

G. Communication between his/her division and other divisions in the matter of CBI security, and communication with the chief DCO in the Program Support Division.

H. Controlling all secured storage and/or reading areas within his/her division. (See section on Physical Security.)

I. Permitting access to only those individuals who are "authorized persons" and maintaining a current list of those persons for his/her division.

J. Evaluating the present security measures and determining if they are sufficient to the current needs of the division and OPP.

K. Reporting security violations to the Division Director so that a review may be made.

L. Conducting and/or arranging any necessary briefings on security.

M. Controlling all movement of CBI into and out of the division, and assuring that all necessary transmittal forms are signed, correctly filed and available for inspection. (See Section on Transmittal of CBI Materials for details.)

N. Ensuring that proper covers are attached to make the CBI instantly identifiable before these documents leave the control of the DCO (DCA). (See Appendix C for copies of covers.)

O. Expediting requests for necessary locks and security equipment as needed, as well as arranging for the changing of locks and combinations due to the termination or transfer of authorized persons.

P. Approving destruction of obsolete CBI in accordance with records retention schedules. (See Document Management Section, Information Services Branch, PSD, for details on schedules.)

Q. Submitting and updating the list of CBI copying approval officials.

R. Approving any individual filing/storage used to hold CBI material within the division space.

S. Acting as liaison between contractors and the division, Contracts Management Division and the Security Branch of the Facilities and Support Services Division and the Inspector General's Office.

T. Delegating portions of his/her authority to designated representative(s) (Document Control Assistant(s) (DCA) as approved by his/her Division Director.

3. Document Control Assistants (DCA's) are responsible for:

A. The actual logging of documents to comply with the tracking system(s).

B. Other duties of the DCO as delegated to them in writing by the DCO and/or Division Director.

4. Second Line Supervisors (Deputy Division Directors, Branch Chiefs, etc.) are responsible for:

A. Any responsibilities of the Division Director as assigned, except the first, since the authorization signature may be given by the Division Director or the Acting Division Director only. Such delegation of authority should be in signed memo form and distributed for inclusion in the manuals held within the appropriate division.

B. Documenting any security problems for the Division Director and contacting the appropriate DCO (DCA) for a speedy solution.

5. First Line Supervisors (Section Chiefs, Team Leaders, etc.) are responsible for:

A. Being familiar with the information contained in this manual.

B. Ensuring the day to day compliance with the rules by the workers under their supervision and providing positive guidance as needed.

C. Ascertaining that the employees have become familiar with the rules in this manual and that they are being followed on a regular basis.

D. Encouraging a positive attitude so that the success of these measures is assured within their work area.

E. Counseling workers not meeting these standards of conduct and/or reporting violations of security to his/her Supervisor for referral to the Division Director.

F. Approving in writing the copying of CBI materials.

G. Reflecting proper or improper handling of CBI in the yearly Performance Appraisal under the current headings of: Cooperativeness, Judgement and Attitude.

H. Checking that the physical security of his/her work area is assured either personally at the end of the work day, or assigning in writing a qualified person for this duty. It must be possible for a DCO (DCA) to conduct periodic checks on the security of any given area at the end of the work day and be able to verify (from a written log, posted memo, etc.) who was assigned that duty.

6. Individuals (Non-supervisory and non-DCO's) are responsible for:

A. Reading this manual and being familiar with its contents.

B. Following the procedures in this manual and the specific division procedures that are incorporated herein.

C. Reporting security violations to their supervisor.

7. Office of the Inspector General (OIG)

The OIG is responsible for conducting investigations of cases that involve the apparent unlawful disclosure of FIFRA Confidential Business Information and for auditing OPP investigations that have not been referred to the OIG. The following procedures apply:

A. OIG investigations shall be requested by the DAA, or by a Division Director through the DAA. A statement of the circumstances of the subject disclosure shall be provided with the request.

B. A report of the results of OIG investigations will be provided to the DAA and to the Department of Justice, if appropriate.

C. Violations of provisions of this manual will be reviewed by the appropriate Division Director. A second review will be performed at the DAA level in cases where personnel are involved in additional violations and/or when an actual compromise may have occurred. Copies of Division and DAA level reviews will be provided to OIG for audit and possible further investigation if the OIG feels this is necessary.

SECTION IV

PHYSICAL SECURITY

It is the general policy of OPP to use physical measures whenever possible to safeguard Confidential Business Information. This includes providing, where possible, for meeting areas away from the working areas of OPP employees where such working areas cannot provide privacy and other means of restricting access to CBI documents or information by unauthorized persons.

1. General Rules

   A. All new Confidential Business Information received in the Office of Pesticide Programs shall be referred to the Process Coordination Branch of the Registration Division for the assignment of a unique identification number to allow for tracking.

   B. CBI documents are to be easily identifiable by the use of special covers, stamps, etc. (See Appendix C-1 to C-3.)

   C. Documents are to be stored in approved secured file equipment, data/mail/correspondence storage rooms, and other approved secured storage areas.

   D. File equipment must be secured by three-way changeable combination locks as approved by the Security Branch.

   E. It is the responsibility of the Supervisor of his/her area to insure at the close of business that doors in any secured work area are locked, alarms activated if appropriate and that CBI documents in unsecured work areas have been placed in secured storage. This authority may be delegated in writing by the Division Director to the DCO (DCA).

   F. Secured storage cabinets, rooms, etc. will be clearly marked as such.

2. Access to CBI Documents

   A. Authorized EPA employees will obtain all CBI documents incoming to the division from another division through their Document Control Officer (DCO) or Document Control Assistant (DCA).

   B. The employee will sign for the CBI document (see Log Sheet Appendix D).

   C. If a secure area is designated and an employee needs access to CBI documents but does not need to remove them from this secure storage area, access will be obtained by authorized persons from

the DCO (DCA). A sign-in/sign-out log will be used to verify names against the authorization list.

D. No documents will be allowed to leave a secure storage area without following established Divisional procedures as specified in the individual division-produced additions to this manual.

E. When an employee terminates his/her employment or is reassigned within the Agency, or when access is no longer required, the combinations to locks which the employee has had access must be changed.

F. The Administrative Officer of the division will not sign off an employee's exit clearance before receiving clearance from the DCO (DCA) and the OPP Document Center that the employee has returned all CBI documents which were charged out to him/her, and obtaining a signed Confidential Termination agreement (see Appendix A-2).

3. Safeguards During Individual Use of CBI

A. All CBI documents must be handled by authorized personnel only.

B. When unauthorized persons are present, documents must be covered, turned face down, removed from area or otherwise protected.

C. Each person is responsible for securing any CBI documents in his/her possession. When persons are reviewing or processing CBI documents, these documents are considered their responsibility until properly placed in secured storage or transferred to another authorized person. During the review and handling process, persons in possession of these documents are responsible for protecting or securing these documents before leaving their work area for any reason.

D. CBI must be stored in approved secure locked files or secured rooms when not in use and at close of business.

E. Each person must safeguard keys and combinations to files, safes, rooms, etc. Keys and combinations to CBI files must be retained in a secured place in the work area and not removed except with the written approval of the DCO (DCA). Lost keys or suspected breach of security in respect to combinations must be reported immediately (no later than COB that working day) to the DCO (DCA) so that immediate changes can be carried out.

F. Data of a confidential nature given to any other OPTS employee or non-OPTS employee for review must be locked in a secure file (protected by three way changeable combination locks or kept in a secured area) when not in use as provided for under these regulations. Employees transferring data to other authorized persons must inform them that this is a CBI document before transferring it to them. Data transferred out of the Division should go only through the DCO (See Section VI for details on transferring CBI material.)

SECTION V

COPYING AND DESTRUCTION

1. Policy On Making Copies of Confidential Documents

   A. Any reproduction of documents containing OPP Confidential Business Information shall be kept to an absolute minimum.

   B. Copies of any part of a CBI document in any form (e.g., paper or fiche) will be made only at the OPP Document Center, Room 312, Crystal Mall Building 2). Division copy centers may be established when copying equipment becomes available.

   C. Confidentiality of data in the OPP document system shall be indicated as follows:

      (1) All company data are Confidential Business Information unless otherwise marked.

      (2) All Pesticide Document Management System (PDMS) studies beginning with the Master Record identification numbers (MRID) 00 (zero zero) are CBI unless otherwise marked.

      (3) All PDMS studies with MRID numbers beginning with 05 (zero five) are not CBI.

   D. Each copy of a CBI document shall be marked with a control number and its existence and disposition shall be recorded on a document control record.

   E. All hard copy reproduction shall be done on pink paper so as to readily reflect its CBI classification.

   F. Microfiche copies containing CBI shall be produced with a red stripe in the label area.

   G. If copies (including extracts or citations from CBI documents) are to be sent from one division to another within OPP, or are sent outside OPP, persons sending such documents are reminded that they are individually responsible to establish an audit trail through the Division Document Control Officer (DCO) or Document Control Assistant (DCA) for the accountability of all copies (see transfer rules in Section VI).

2. CBI Copying Facility

   A. The OPP Document Center is located in rooms 310/312, CM-2. It serves as the custodian of all company data and pesticide studies entered into the Pesticide Document Management System (PDMS).

The document mode is microfiche, from which copies are made by Document Center personnel only. The center can produce copies:

(1) From paper to paper
(2) From microfiche to paper
(3) From microfiche to microfiche

B. The OPP Document Center is a restricted area, to which only assigned operating personnel are admitted. All requests will be presented to the clerk on duty at the entrance, following the procedures in paragraph 4, below.

3. Authorized Document Users

Division Directors will furnish the OPP Document Center a list of employees having CBI clearance who are authorized to have access to Confidential Business Information in the Document Center. Format of the list should be similar to the example shown as Appendix J.

4. Procedures for Reviewing and Copying CBI Documents

A. To obtain CBI material from the OPP Document Center, the requestor's name must appear on the access list approved by his/her division director. The requestor must also present his/her EPA identification badge prior to receiving any CBI.

B. The OPP Document Center will provide data for quick reference work at the center or carry-out copies (fiche and/or paper) for use in the requestor's office. In either case, the requestor must sign for the data when received. This will be done on a charge-out record prepared for each recipient of CBI. When a document is returned to the center, appropriate annotation and signatures will be made on the record to reflect such return. Prior to departure from his/her OPP assignment, the recipient of CBI from the OPP Document Center must return all charged-out documents or present an acceptable audit trail that will release him/her from accountability.

C. Release of CBI to non-OPP and other Federal agency personnel will be in accordance with the provisions of Section VI of this manual.

D. A registrant's request to review or obtain a copy of his previously submitted data will be honored only upon presentation of acceptable credentials and approval by the Program Support Division's Document Control Officer.

If the request involves copy work, the DCO will coordinate the transaction with the Information Sources Section of the Information Services Branch, Program Support Division, so that the cost of reproduction can be collected.

5. Destruction Policy

Destruction of FIFRA Confidential Business Information shall be in accordance with the following:

A. Destruction shall be performed by a Document Control Officer or a Document Control Assistant under the DCO's supervision. A record of CBI destruction shall be maintained by each DCO.

B. CBI material that was obtained from the OPP Document Center shall be returned to the center for disposition when the OPP recipient has no further need for it. Destruction will be accomplished by the Program Support Division's Document Control Officer.

C. CBI material that was not obtained from the OPP Document Center shall be destroyed by the DCO of the office or Division having custody of such material. This includes but is not limited to printed materials, micrographic images and typewriter ribbons.

D. Destruction of CBI on film and paper stock shall be accomplished by processing the material through the Paper Pulverizer located in a secured area at Waterside Mall. CBI stored on magnetic materials shall be destroyed by degaussing or with an overwrite program as authorized and supervised by the appropriate DCO.

6. Precautions Against Unauthorized Disposal, Salvage, or Copying

Division DCO's and DCA's shall be responsible for instructing all persons cleared for access to CBI against unauthorized disposal and copying. Bad copies or brief extracts from CBI materials are not to be placed in salvage such as "Use it Again, Sam" boxes. Copying of CBI materials is strictly prohibited in any form except when accomplished in the OPP Document Center.

SECTION VI

TRANSFER OF CBI MATERIALS

1. Between OPP Divisions

A. All data leaving a Division must be logged out by the DCO (DCA) using the prescribed form (See Appendix D). The unique control number(s) assigned by the Process Coordination Branch, Registration Division and the transaction date will be entered on the log by the DCO (DCA).

B. CBI transfers shall require the use of a cover sheet and receipt form as follows:

(1) A CBI cover sheet stating that the material is CBI will be affixed to the document or, if covers are unavailable, the standard stamp of red ink will be used on the cover. (See Appendix C-1 to C-3.)

(2) A receipt form (See Appendix E-2) will be attached to the package and a copy shall be pulled and properly filed for future reference.

C. No documents containing CBI will be transferred from one division to another without going through one DCO (DCA) to the other Division's DCO (DCA).

D. All incoming CBI will be processed by the DCO (DCA) so that every document containing CBI will be the responsibility of that DCO (DCA) until transferred to an authorized person. That person will be accountable for that document until it has been transferred, in accordance with prescribed procedures, to another authorized person.

E. No CBI will be received by a division DCO without going through the proper procedures for archiving incoming data including the use of the following log-in procedure. (The procedure prescribed by this manual is designed for secured areas only--divisions without a secured area will produce a written tracking procedure for use within their division.)

(1) Each document is received by the DCO (DCA) and is entered in the log (Appendix D) using the previously assigned document control number and recording the date of the transaction.

(2) If CBI cover sheets are not attached, they are affixed at this time or failing their availability, the cover of the documents are stamped in red ink with the statement "Confidential Business Information. Does not contain National Security Information (E.O. 12065)."

(3) Documents are then filed in secured file cabinets.

F. If documents are to be signed out to a person in an open work area rather than kept in a secured area, they must be logged out by the DCO (DCA) and then signed for by the person that will have physical possession of the documents, using the procedures outlined in the division-produced tracking system and stored in an approved storage cabinet with proper locks, etc., when not in use. It is up to each Division to determine whether its CBI documents will be controlled in a secure area or by individual employees in prescribed filing equipment.

G. The transmittal form must be signed by the receiving DCO (DCA) and returned to the transmitting DCO (DCA) for retention and clearing of the tracking records. (See Appendix E-2).

2. <u>From OPP to OPTS</u>

All CBI documents leaving OPP to other parts of the Office of Pesticides and Toxic Substances (OPTS) will go through an OPP DCO (DCA) to the appropriate DCO (DCA) in OPTS with the transfer documents used by OPP for interdivisional transfer of documents. (See Appendix D, and E-2).

3. <u>From OPP to Other Parts of EPA and Other Federal Agencies</u>

A. Transfer of CBI to other federal agencies shall be preceded by the establishment of an interagency memorandum of agreement. (See Appendix I)

B. All CBI documents leaving OPP to other Federal components shall proceed through the division DCO, wih the approval of the Division Director, and be entered into the appropriate tracking system.

C. Anyone receiving the CBI material shall sign the proper transfer form (Appendix E-2) and be informed by the DCO of the proper physical security measures that should be taken to safeguard that material.

4. <u>From OPP to High Governmental Units</u>

Material requested by a Congressional Committee, the Office of the President, GAO and any foreign govenment shall be sent by the appropriate DCO (DCA) to the Office of the Deputy Assistant Administrator for the Office of Pesticide Programs (External Affairs Unit). All material containing CBI will proceed to Congress through that office and no other.

5. <u>From OPP to a Contractor, Subcontractor or Consultant</u>

A. No confidential business information shall be disclosed to a contractor unless all of the following conditions are met.

(1) The contract must authorize the disclosure of CBI to the Contractor, and the Contractor must have agreed to the clause entitled "Treatment of Confidential Business Information" before receiving such information.

(2) The contractor's security plan and facility requirements for safeguarding Confidential Business Information must be approved by the Program Project Officer and the OPP Security Officer before any CBI is disclosed to the Contractor.

(3) A notice that CBI is to be disclosed to the Contractor must be published in the Federal Register in accordance with 40 CFR 2.301(h)(2)(iii) and the prescribed waiting period must be adhered to before such disclosure is made. The OPP office managing the contract shall provide the Information Services Branch, Program Support Division with the information needed for the Federal Register notice.

B. Transfer procedures for Documents containing Confidential Business Information to Contractors, Subcontractors, or Consultants.

(1) The (Contract) Project Officer responsible for the contract or subcontract shall request the necessary CBI from the appropriate DCO (DCA). This written request shall include the identity of the contractor or subcontract and the number of the contract or subcontract.

(2) Upon receipt of such a request the DCO (DCA) shall provide the requested CBI to the (Contract) Project Officer in accordance with the procedures prescribed earlier in this section for transferring documents from one division to another or in accordance with the division procedures for transfer within a division.

(3) The (Contract) Project Officer shall furnish the CBI to the contractor or subcontractor in accordance with the procedures as described earlier in this section for transfer from one OPP division to another.

(4) The (Contract) Project Officer shall obtain a written receipt for the CBI from the contractor or subcontractor and send it to the appropriate DCO (DCA) who shall enter it in the log. (Appendix E-2).

6. Telecommunications

With the permission of a Division Director or the data submitter, FIFRA CBI can be transmitted electronically through telecopier lines to secure areas within EPA or to the data submitter whose material is involved. The telecopier will be used for such transmission only by authorized EPA personnel who will ensure that no unauthorized person can see or otherwise gain access to the CBI being received or transmitted.

7. Meetings Involving Discussion of CBI

For any meeting, symposium, panel discussion, or seminar at which FIFRA CBI will be discussed, the meeting chairperson shall provide a FIFRA CBI Sign-In Sheet (Appendix B-1, B-2) if there are attendees who have not had prior access to the CBI to be discussed. In addition, the chairperson will retain the option to require a sign-in sheet whenever he/she thinks it necessary. All attendees must sign it and record their EPA identification badge number. The chairperson shall give the sign-in sheet to the local DCO/DCA who will retain it for 1 year.

The chairperson must also ensure that only authorized persons are present and shall announce FIFRA CBI is to be discussed. When necessary, the chairperson shall review with the attendees their responsibility for safeguarding CBI in any and all forms, including, but not limited to, any notes taken and any subsequent discussions.

No recording is to be made of the meeting unless the chairperson has authorized it. If authorized, the recording must be treated as all other confidential business information and entered into the document control system.

The meeting room shall be secured after the meeting by the chairperson. This includes cleaning all chalkboards, destroying, by approved methods, all tear sheets and other notes, and ensuring that nothing is left in the room that could lead to the unauthorized disclosure of FIFRA CBI.

When notes containing FIFRA CBI are taken from a document, a meeting, or anyother source, the notes must be protected as CBI. If the notes are to be circulated to other authorized persons, they must be entered into the document control system. The taking of notes is discouraged and should be kept to a practical minimum. Any document generated from notes shall be treated as described in Section IV of this manual.

SECTION VII

COMPUTER SECURITY

1. The Resource Access Control Facility (RACF) is maintained by the contractor at Research Triangle Park, N.C., for use by EPA. RACF uses a series of profile tables, which contain descriptions of users, groups of users, and data resources, to check access authorization. These include:

   A. User Profiles containing attributes that define the user's authority to access data resources and issue RACF commands.

   B. Group Profiles containing a list of the members in the group and the authorities of each member.

   C. Data Resource Profiles (DRP) containing a list of authorized users and groups of users and the access authority of each. Also the DRP contains the universal access authority (UACC) to be granted to users who are not specifically granted or denied access.

   D. Authorization checking is the basis for deciding whether a processing function or an access to protected resources should be allowed or prevented. RACF performs authority checking without any user or operator intervention. If the access is authorized, it is allowed; if unauthorized, it is denied.

   E. The Data Administrator (PSD) can, at any time, change any of the authorization parameters.

2. Encryption of Data Files will be performed on computer records pertaining to production data volumes reported by registrants/manufacturers. These data files will be maintained at Research Triangle Park in an encrypted mode so that any unauthorized user cannot obtain volume information. The data records will be decoded for processing of a retrieval request. All temporary data sets will be purged upon completion of the processing run.

3. Physical Security of the OPP computer room is protected by double locks on both access doors in non-prime shift hours. Prime shift security is maintained by a minimum of two computer operators physically in the room. Jobs security/logging uses the following technique:

   A. When a job is printed, the operator removes it from the printer.

B. The operator then logs it in using a Data 100 CRT which creates a permanent computer file containing information about the account, initials, lines of print, job number, time of day, cost and other job parameters.

C. The operator then places the non CBI printout in that user's bin and the user picks up the materials.

D. CBI jobs shall be under a unique account name that indicates that the printout contains protected material.

E. The operator shall intercept the jobs containing CBI and call the DCO (DCA). These printouts will <u>not</u> go into the user's bin for pickup.

F. The DCO (DCA) shall pick up the hard copy (printouts) from the operator and lock them in a secure cabinet until the authorized official claims them by signing the official log which includes the job number and date. (See Appendix D).

SECTION VIII

CBI TYPING PROCEDURES

1. Documents Typed Internally

Each division is instructed to produce procedures for the protection of draft material containing CBI and the protection of such drafts and ribbons held within a division which include:

A. The responsibility of the drafter of a document to put a CBI cover sheet on material to be typed so that all who handle it are aware it is to be protected.

B. Assigning the typing of such a draft to authorized typists only.

C. The locking in a secured cabinet or room; the handwritten draft, incomplete or undelivered typed versions of the draft, and the ribbon or disc used to produce the document.

D. The return of all materials used to produce the CBI containing document to the drafter.

E. The destruction (See Section IV) of all the draft copies and the ribbon/disc used for their production.

2. Documents Typed on Contract

Procedures for transferring draft CBI material to the contractor for typing are indicated below.

A. Drafters of CBI material are to place a red cover sheet over the CBI rough draft material.

B. Place the draft inside two envelopes before hand carrying document to DCO (DCA) for transmittal to the contractor.

C. The inner envelope should be addressed to the contractor and have "CONFIDENTIAL BUSINESS INFORMATION" stamped or printed on the envelope, and the phrase "TO BE OPENED BY ADDRESSEE ONLY" printed or stamped on the envelope.

D. The outer envelope should be a regular envelope (not an interoffice envelope) and have the recipient's full mailing address on it. There should be nothing written on outside indicating that CBI material is contained in it.

E. The drafter will attach to the outside of the double envelope a correctly completed EPA Request for Typing/Editing Form (EPA Form 7710-9), with "CONFIDENTIAL BUSINESS INFORMATION" printed or typed and underlined in the comments section, Block 20 of the form (see Appendix E-1).

F. The drafter will ensure that the CBI document is hand carried to the DCO (DCA) and ensure that the drafter/secretary signs the Confidential Document Control Log transferring control responsibility over to the DCO (DCA). (See Appendix D).

G. The DCO sends the draft to the contractor for typing.

H. The DCO (DCA) will ensure that the Branch (drafter/secretary) hand carries the draft document back to the Branch once the CBI document is returned to the DCO (DCA) and signs the Confidential Business Information Control Log transferring control responsibility back to the drafter. (See Appendix D).

I. The DCO (DCA)will monitor the flow of CBI rough draft materials between the EPA and the contractor as outlined below:

(1) Ensure that the outer envelope of the double-envelope confidential package is addressed to the contractor.

(2) Ensure that a receipt form (see Appendix E-2) identifying the document is inserted into the inner envelope. (This receipt form is signed by the contractor security officer and returned to the Division DCO (DCA) acknowledging receipt. The receipts will be maintained by the DCO (or DCA) until the typed document is received from the contractor.

(3) Ensure that the CBI document is assigned an OPP CBI control number and that this control number is added to the bottom right hand corner of the EPA Form 7710-9 (Appendix E-1).

(4) Ensure that the necessary control copy (yellow, (Contract Project Officer's copy) of EPA Form 7710-9 has been pulled and the form has been properly completed including the addition of "Confidential Business Information" to the comments section. (See Appendix E-1).

(5) Ensure that the contractor's messenger signs the Confidential Business Information Control Log when picking up and returning CBI documents, thereby transferring control responsibility to the Contractor while the document is being typed. (See Appendix D).

SECTION IX

DIVISION SECURITY PROCEDURES

Responsibilities of the Division Director, Document Control Officer, Document Control Assistants, supervisors and individual employees are described in sections III through VIII of this manual. Those sections give mandatory procedures to be followed in receiving and logging CBI into the Division, transferring the CBI material within the division, protection while using the material, storing, copying, destroying, transferring to another Division, to other programs in EPA, or to a contractor cleared for handling of CBI.

The Document Control Officer in each division is the focal point of the security system, having the responsibilities listed in paragraph 2 of section III. Division DCO's are named below:

Benefits and Field Studies Division		
Loa Herbert	CM-2, Room 211	557-7244
Hazard Evaluation Division		
Ken Condra	CM-2, Room 815	557-7347
Program Support Division		
Emory Eldredge	CM-2, Room 312	557-7151
Registration Division		
Edward Gross	CM-2, Room 509	557-7123
Special Pesticides Review Division		
Jane Babcock	CM-2, Room 724-A	557-3043

Procedures for internal security operation within each division are provided in this section--

Page

Benefits and Field Studies Division.....BFSD-1

Hazard Evaluation Division Program Support Division.....HED-1

Program Support Division.....PSD-1

Registration Division.....RD-1

Special Pesticide Review Division.....SPRD-1

BENEFITS AND FIELD STUDIES DIVISION
SECURITY PROCEDURES

The Benefits and Field Studies Division (BFSD) differs from the Manual by using the following divisional procedures to track Confidential Business Information (CBI) documents within the division:

A. Procedures for tracking incoming CBI Data:

The Document Control Officer (DCO) or the Document Control Assistant (DCA) logs in all CBI data received by or transmitted to the Designated Security Area in the following manner:

(1) Record document control number in log.

(2) Attach red or white (contractor) cover sheets. If cover sheet is not available or time does not permit, stamp document in red ink with statement "Confidential Business Information. Does not contain National Security Information. (e.o. 12065)." File document in prescribed cabinets in secured area.

B. Procedures for tracking outgoing CBI Data:

All data leaving a division must be logged out by the DCO or designated DCA. The DCO or DCA will log out data in the following manner:

(1) Record control numbers or note date in control log and insure that the red or white cover sheet or stamp is affixed to the document.

(2) Insure that the receipt form shown is attached to the package; the hold copy is pulled and properly filed for future reference; and that the person transmitting the document signs the control log.

C. Document Management Responsibilities:

(1) Inventory

The DCO is responsible for inventorying all CBI data held by the division at least once a year. The DCO will also insure division procedures by spot checks and by insuring the availability of proper equipment and locks. The DCO also directs the disposition of all CBI documents as required by these procedures.

(2) Employee Clearance when leaving OPP

The Security Division of EPA will not sign off on an employee's clearance until the Administrative Officer of the responsible division has signed off. The Administrative Officer of the division will not sign off on an employee's clearance before receiving clearance from the DCO (DCA) that the employee has returned all CBI documents.

ENVIRONMENTAL PROTECTION AGENCY
FIFRA CONFIDENTIAL BUSINESS INFORMATION
USER SIGN OUT LOG

Date/Time Checked out	OPP Document Control Number/ Copy Number	USER INFORMATION			DCO Initial	Date Returned	DCO Initial	Date Destroyed	DCO Initial	Comments
		EPA ID Number	Last Name	Signature						
Date_____ Time_____										
Date_____ Time_____										
Date_____ Time_____										
Date_____ Time_____										
Date_____ Time_____										
Date_____ Time_____										
Date_____ Time_____										
Date_____ Time_____										
Date_____ Time_____										
Date_____ Time_____										

BFSD ATTACHMENT 2

MEMORANDUM

SUBJECT: Security of Public Law 92-516 Section 7 Data

FROM :

TO : Recipients of Section 7 Production Data

The attached Section 7 material (Production Data) is provided per your request. It consists of _____ pages of computer printout. This information is considered priviledged and it must be severely restricted in its dissemination, being made available only to those Environmental Protection Agency officials with valid need for it. Duplication of any of the material on a copying machine is not authorized.

Unauthorized disclosure of the attached information is punishable by a $10,000 fine or imprisonment of not more than three years, or both. (Section 14 (b) (3), Public Law 92-516).

Upon completion of your analysis of the information, it should be returned to Room B-17, East Tower, for subsequent destruction. Until that time you are personally accountable for the security of the material.

CERTIFICATE

I have read and will abide by the above conditions while the Section 7 data is in my possession.

Printed Name _____ Signature _____

Organization _____ Office Telephone Number _____

Date Returned to SSB _____ Signature _____

Date Destroyed by SSB _____ Signature _____

HAZARD EVALUATION DIVISION
SECURITY PROCEDURES

1. General Procedures

A. Incoming Data

Confidential Business Information is routinely received in HED as part of company registration data. Such information normally comes from one of the following sources: Registration Division product managers; Program Support Division; Special Pesticide Review Division; or Benefit and Field Study Division.

The principal source of CBI data is the Registration Division and such data is normally transported to and from HED Branches by a designated Personnel Control Clerk* on the HED Director's Staff. The Division Branches then handle the CBI data in accordance with the attached descriptive statements.

CBI data transferred to or from approved contractors or other sources is handled through the DCO. If a question arises, the matter is to be referred to the Chief, Information Services Branch, Program Support Division.

B. HED Tracking System

(1) Input

a. Material is received by the HED Document Control Assistant and logged in. Pertinent identifying data are entered into the log. The documents designating type of material are appropriately stamped.

b. The material is hand delivered in CBI covers, as specified by the manual, to the designated cleared HED staff for study.

c. The material is then shelved in accession number order in a conserva-file drawer which has combination locks.

(2) Usage of CBI

a. Outside EPA: Material reviewed by other agencies or by consultants follows the manual procedures.

b. Within EPA: Access to CBI is available to EPA employees who have been cleared according to FIFRA; Manual Procedures Division. Material may only be removed through DCO or DCA by a cleared employee. The request form is filled out by the requestor. The DCA prepares two 3X5 cards with borrower's name, etc. One card is placed in a red plastic cover with a pocket,

*The current designated Pesticide Control Clerk is Marvin Hawkins

and placed in numerical order in secured file. The other 3X5 card is placed numerically in a 3X5 file of all CBI material. Transmittal of such material follows procedures as outlined in the FIFRA Manual.

c. Typing: CBI material for typing is hand carried to the contractor for typing by cleared typist or sent in double envelopes as specified in the manual.

d. Copying: Only to be done by a secured copier.

e. Destruction of material: A form requesting destruction is filled out and approved; the material is then shredded in the designated area.

2. Branch Procedures

A. Ecological Effects Branch

Since RD actions (Sections 3, 5, 18 and 24(c) may contain CBI materials, these are handled in a guarded manner. Following delivery to the Branch these are logged in and immediately assigned to a specific reviewer. Actions may be placed in Branch holding files until picked up by the assignee.

Reviewers are instructed to place all such materials and copies of their reviews in secure locations inside locked file cabinets before leaving work each day .

(1) RD submitted data (some of which may be considered confidential) is attached with the complete review for pickup and return to RD via personal carrier. When reviews are sent to the typing contractor for typing, they are placed in double envelopes, marked "CONFIDENTIAL BUSINESS INFORMATION" and "To Be Opened By Addressee Only" -- with the Standard red 8 1/2 x 11" insert which cautions that some information within may be entitled to treatment as trade secret or proprietary data under Section 7 (d) and Section 10 of FIFRA.

(2) Since the Branch also transmits copies of specific reviews to either the Office of Endangered Species (USFWS/DOI) and the National Marine Fisheries Service (DOC) in seeking formal consultations regarding pesticidal effects on endangered or threatened species, the same red 8 1/2 x 11" cover described above is attached.

(3) Unpublished studies reviewed during Registration Standard activities are to be disposed of by shredding, using the shredder in the 11th floor copying room. Data evaluation records sent to the typing contractor for final typing also are accompanied by the red 8 1/2 x 11" insert as described in #1 above.

(4) All Branch personnel have completed the Standard OPP form "Access Authorization for FIFRA Confidential Business Information."

(5) In addressing RPAR matters dealing with fish and wildlife risk assessment, the Branch receives both published and unpublished studies. These documents, when confidential, are kept secure in locked files when not in use. All such documents are returned to SPRD upon completion of review or are kept under lock.

B. Environmental Fate Branch

CBI is received by EFB where it undergoes either an in-house review or is assigned to an EFB contractor for review.

(1) Review Procedures

a. In House

When the data is to be reviewed in-house, it is kept secured until assigned to a reviewer. The reviewer evaluates/reviews the data at his/her official work station, or, under special circumstances, at locations outside the Agency. If CBI is to be retained overnight, it is secured in locked Agency files, or under special circumstances, it is secured by the reviewer at a location outside the Agency.

b. Contractor Review

EFB also has data reviewed by a contractor. The contractor, with security clearance, picks up CBI in a secured van for delivery to the contractor's location. The contractor evaluates/reviews and stores the data under secured conditions. Upon completion of the review, the CBI is returned via secured van where it is held in secured EFB files. Dissemination is only to Branches and Divisions within the Agency. The contractor may retain a copy of the final review it generated until termination of the contract.

(2) Dissemination

Copies of the reviewer's completed evaluation, with confidential notation, are disseminated to other Agency locations via hand delivery, Agency mail or registered mail with copy retained by EFB. Dissemination outside the Agency does not occur via EFB directly except under FIFRA, Section 10 (emergency dealing with protecting against an unreasonable adverse effect to health or the environment) or under an FOI request which is sent directly to OGC, if

requested. The CBI, from which the reviewer's evaluation was generated, is either retained and secured in EFB, returned to the originating Division or Branch in the Agency or is destroyed.

C. Health Effects Branch

Health Effects Branch follows the standard HED tracking procedures.

D. Residue Chemistry Branch

(1) Tracking: All petitions and registration actions are assumed to be CBI. These documents are received from the HED Pesticide Control Clerk. They are placed in the RCB in-box and logged in by the Branch Secretary. The Branch Secretary routes the material to the appropriate section. The Section Head keeps the material in a locked file cabinet until assigned to a reviewer. The reviewer keeps the material in a locked filing cabinet until the review is initiated. Once under review the material is kept on the reviewer's desk during the day and locked in a filing cabinet at night.

Once the review is completed the material is returned to the Section Head for secondary review. The Section Head again keeps the materials in a locked filing cabinet until the secondary review is completed. At this time the petition is filed in the Lektrievers, Times II files or filing cabinets, all of which can be locked.

(2) Filing: Registration Standards data are kept in locked filing cabinets. Much of the Registration Standards data are for older chemicals and thus available in the open literature.

(3) Access: Access to the Branch files during non-work hours is controlled as follows. All doors to room 810 are locked each night. All door locks except the main entrance door cannot be opened except by keys available from the RCB Branch Chief/Deputy Branch Chief, Division Office or Guards. The main RCB entrance to room 810 is locked with a combination lock. The combination lock is available to all RCB Branch Personnel.

E. Toxicology Branch

(1) Tracking: All registrations and petitions received in TOX are considered CBI. The Pesticide Control Clerk puts the action packages in the box for the Environmental Protection Specialist. This person logs the actions in and places the unassigned actions in a locked file cabinet. After the actions are assigned to a reviewer, the reviewer keeps the actions in a lockable file cabinet. While under active

review the actions are kept on the reviewer's desk during the day and are placed in a lockable file cabinet at night. After the review has been completed the whole package is given to the Section Head for secondary review. The actions are kept in a lockable file cabinet until secondary review is complete. The actions then go to the Registration Coordinator for another secondary review - again the actions are kept in a lockable file cabinet. The actions then go to the Branch Chief for final sign-off and again are kept in a lockable file cabinet. At this time the registration and petition actions are returned to the Environmental Protection Specialist where they are logged out and returned according to manual procedures.

(2) Storing: Data for Registration Standards and RPAR is kept in lockable file cabinets as much as possible. Much of this data is available in general literature.

(3) Access: All hall doors into the Toxicology Branch are locked by both key and combination locks. The keys and the combination are available to TOX Branch personnel on an "as-needed" basis.

NUMBER	CHEMICAL	DATE RECEIVED	TOX. BR.	CHEM. BR.	EEB	RETURNED TO

Date Out EFB:

To: Product Manager
TS-767

From: Dr. Willa Garner
Chief, Review Section No. 1
Environmental Fate Branch

Attached please find the environmental fate review of:

Reg./File No.: _____

Chemical: _____

_____

Type Product: _____

Product Name: _____

Company Name: _____

Submission Purpose: _____

_____

_____

ZBB Code: _____ ACTION CODE: _____

Date In: _____ EFB # _____

Date Completed: _____

Deferrals To:

_____ Ecological Effects Branch

_____ Residue Chemistry Branch

_____ Toxicology Branch

PROGRAM SUPPORT DIVISION SECURITY PROCEDURES

1. INPUT

All CBI received in any element of Program Support Division must be delivered to the PSD Document Control Officer for entry into the CBI tracking system.

2. CONTROL

A. The Document Control Officer logs in all CBI for the Division and its Branches, and transfers CBI to the Document Control Assistant in each branch of PSD as appropriate. Each branch DCA maintains the branch tracking system and is responsible for CBI security in the branch.

B. Most CBI entering the Division is company data from applicants for registration and is received from the Registration Division after that division assigns an accession number to the document. When received in the Document Management Section, Information Services Branch, the control clerk will add the accession number to the computer inventory record and will also make the code entry showing that the document was transferred to Raven Systems and Research, Inc., for processing into the Pesticide Document Management System. After updating the computer record, the control clerk will deliver the CBI document to Raven personnel in the OPP Document Center. The Raven recipient will sign a receipt which will be filed in the Document Management Section for tracking.

C. A record of all CBI received from the contractor as an output from PDMS processing will be kept in the Document Management Section. When such data are transferred to other OPP users, a signature for each item of CBI material shall be obtained from the recipient. In most cases, the computer listing which accompanies the CBI material can be used as the control record and receipt form.

3. STORAGE AND USE

Microfiche masters of original submissions and PDMS studies are stored in the OPP Document Center (room 310, Crystal Mall Building 2), and are made available as described in Section V of this manual.

4. TRACKING AND TRANSFERRING

Complete tracking is practiced from accession to transfer or destruction, as described in Section VI of this manual.

5. DESTRUCTION

Shredding is performed as provided for fiche, paper documents, and typewriter ribbons. Magnetic recordings may be demagnetized. (See Section V.)

6. ACCESS TO COMPUTER STORAGE AND PRINTOUTS

Access to computer storage and production is controlled (see Section VII).

REGISTRATION DIVISION SECURITY PROCEDURES

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   B. Amended Registrations RD-6
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   F. Congressional Material RD-8
   G. Miscellany RD-8
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   B. Emergency Response Section RD-11
3. Technical Support Section Security Procedures RD-14
   Appendix 1 - Log Form

1. Product Manager Team Security Procedures

A. New Registrations. The following procedures are to be followed in handling CBI submitted in support of a new registration:

(1) CBI material coming into a Product Manager team from the Process Coordination Branch (PCB) to support a new registration action will have on it a CBI red cover sheet (or if unavailable, the alternate cover specified in Section VI, 1B(2)) identifying it as CBI. Upon receiving such material, the receiving clerk or other authorized person will immediately log the jacket in (or see that it is logged in) and move it to the appropriate reviewer for review. Should such initial CBI material enter the PM team directly without going through PCB, the Product Manager Team DCA shall immediately take it to the Liaison Team in PCB for processing. If the DCA cannot take it to PCB immediately, the liaison team DCA in PCB should be contacted by phone and requested to pick up the CBI. If the DCA in PCB is not available, the alternate DCA there should be contacted. If neither of them is available, the head of the Coordination Section or the next in authority should be contacted. At no time should CBI be unnecessarily delayed in moving to PCB.

(2) If in the course of reviewing the submission, the reviewer finds it necessary to photocopy CBI for transmittal outside Registration Division, he/she will obtain from his/her DCA the form entitled REQUEST TO COPY OPTS CONFIDENTIAL BUSINESS INFORMATION. After filling out the request form, the reviewer will obtain his/her Product Manager's concurrence on the form approving the request. The form will then be taken by the reviewer, DCA, or other authorized person on the team to the OPP Confidential Document Copy Center where the requested number of copies will be made by the DCA operator in charge. These copies must be numbered and tracked. (A Product Manager desiring to photocopy CBI may fill out the same form at the OPP Confidential Document Copy Center without getting his supervisor's approval.) When the reviewer is no longer actively working on the submission, the jacket should be stored in a secured cabinet as specified in Section IV of this manual or returned to the Registration Division File Room.

(3) When a reviewer requests a review of a submission containing CBI from Technical Support Section (TSS), the reviewer will log out the data on the Data Review Record. After obtaining a CBI red cover sheet or a substitute as specified in Section VI, 1B(2) from the DCA and affixing it on top of the CBI-containing material, the reviewer will then hand carry the material to the DCA or clerk in the TSS for logging in. (The Herbicide-Fungicide TSS requires that all CBI material be received by the DCA only.)

(4) When a reviewer requests a review of a submission containing CBI from the Hazard Evaluation Division (HED), he/she will:

a. Log the data out on the Data Review Record form, including assigning a control number and dating.

b. Obtain from the Product Manager Team DCA a CBI red cover sheet or if unavailable, use the alternative specified in Section VI, 1B(2), and the "Receipt of Confidential Data" form.

c. Attach the cover sheet and the Data Review Record on top of the data.

d. Give the package to the Product Manager Team DCA to hand carry to PCB for prioritizing and completion date, from where it will be sent to HED.

e. When the CBI is returned to PCB, the reviewer, DCA, or other authorized person on the Product Manager Team will pick up the material. The DCA will log the material back in on the Data Review Record form.

f. If the registration is approved:

1. The reviewer will take the jacket to the DCA so that the DCA can log it out on the Data Review Record (including assigning a control number and dating) to the contractor for microfilming and coding.

2. The reviewer will indicate clearly on the "Receipt of Confidential Data" form that the material is to be microfilmed and coded and that upon completion of the work, the confidential material is to be returned to the reviewer by the contractor.

3. The reviewer will insert the jacket in a brown, gummed envelope with the words CONFIDENTIAL BUSINESS INFORMATION and TO BE OPENED BY ADDRESSEE ONLY printed or stamped on the outside, and seal. If more than one jacket is involved, the reviewer will use a 12 x 10 x 8 shipping box ordered through the GSA supply store with just the contractor's full mailing address on it and put it at the contractor's pick-up station.

4. The reviewer will place the envelope in a second brown, gummed envelope with only the contractor's full mailing address on it and put it at the contractor's pick-up station.

5. When the jacket(s) is (are) returned from the contractor, the Product Manager Team DCA will log it (them) in on the Data Review Record and return it (them) directly to the RD File Room.

g. If the registration is denied:

1. The reviewer will keep the jacket in a secured cabinet as specified in Section IV, or give the jacket to the Product Manager Team DCA, who will hand carry it to the RD File Room.

2. If after the 75-day waiting period, the registrant withdraws the application, the reviewer will give the jacket to the Product Manager Team DCA, who will hand carry it to the RD File Room.

(5) When a reviewer requests typing of material containing CBI from a contractor, he/she will:

a. Obtain a CBI red cover sheet or if unavailable, use the alternate cover specified in Section VI, from the DCA and place it over the CBI-containing material.

b. Place the material in a brown, gummed envelope addressed to the contractor with the words CONFIDENTIAL BUSINESS INFORMATION and TO BE OPENED BY ADDRESSEE ONLY printed or stamped on the outside. If the material is too bulky for an envelope, use a 12 x 10 x 8 shipping box with just the contractor's full mailing address on it.

c. Place the envelope inside a second brown, gummed envelope with only the contractor's full mailing address on it.

d. Obtain from the Product Manger Team DCA an EPA Form 7710-9 "Request for Typing/Editing," and after filling out the form completely, including inserting the words CONFIDENTIAL BUSINESS INFORMATION (see item 20 in Appendix E-1 of the Security Manual), attach the form to the outside of the envelope or shipping box.

e. Give the package to the Product Manager Team DCA, who will retain the yellow control copy from EPA Form 7710-9 and put the package at the contractor's pick-up station.

f. When the material is returned from the contractor to the PM team, the DCA will record it on the yellow control copy from EPA Form 7710-9 and hand the material to the reviewer or hold it in a security

cabinet as specified in Section IV, until such time as he/she can hand it to the reviewer.

(6) When a reviewer requests microfilming of a change in labeling and/or confidential formula in a registration jacket, he/she will:

a. Obtain a CBI red cover sheet (or if unavailable, use the alternate cover specified in Section VI) and the receipt form entitled "Receipt of Confidential Data" from the Product Manager Team DCA. Place the red cover sheet on top of the confidential data in the jacket and affix the receipt form to the front of the jacket.

b. Take the registration jacket to the DCA, who will log the jacket out on the Microfilm Service Request/Transmittal form.

c. Indicate clearly on the "Receipt of Confidential Data" form that the material in the jacket is to be microfilmed, and that upon completion of the microfilming the jacket is to be returned to the reviewer by the contractor.

d. Insert the jacket in a brown, gummed envelope with the words CONFIDENTIAL BUSINESS INFORMATION and TO BE OPENED BY ADDRESSEE ONLY printed or stamped on the outside, and seal. If more than one jacket is involved, use a 12 x 10 x 8 shipping box ordered through the GSA supply store with only the contractor's full mailing address on it.

e. Place the envelope in a second brown, gummed envelope with only the contractor's full mailing address on it and put it at the contractor's pick-up station.

f. When the jacket(s) is (are) returned from the contractor to the reviewer, the Product Manager Team DCA will return it (them) directly to the RD File Room.

(7) When a reviewer requests coding of a change in labeling and/or confidential formula, he/she will:

a. Obtain a CBI red cover sheet (or if unavailable, use the alternate cover specified in Section VI, and the receipt form entitled "Receipt of Confidential Data" from the DCA. Place the red cover sheet on top of the confidential data in the jacket and affix the receipt form to the front of the jacket.

b. Take the material to the Product Manager Team DCA so that the DCA can log the material out on the ICS Data Request form.

c. Indicate clearly on the "Receipt of Confidential Data" form that the material is to be coded, and that upon completion of the coding the confidential material is to be returned to the reviewer by the contractor.

d. Place the CBI red cover sheet on top of the confidential material, insert the material in a brown, gummed envlope with the words CONFIDENTIAL BUSINESS INFORMATION and TO BE OPENED BY ADDRESSEE ONLY printed or stamped on the outside, and seal. If the material is too bulky for the envelope, use a 12 x 10 x 8 shipping box ordered through the GSA supply store with just the contractor's full mailing address on it and put it at the contractor's pick-up station.

e. Place the envelope in a second brown, gummed envelope with only the recipient's full mailing address on it and put it at the contractor's pick-up station.

f. When the jacket(s) is (are) returned from the contractor, the Product Manager Team DCA will return it (them) directly to the RD File Room.

B. Amended Registrations. The following procedures are to be followed in handling CBI submitted in support of an amended registration:

(1) Upon receiving an amendment containing confidential data in the mail, the reviewer will obtain from the PM Team DCA a CBI red cover sheet (or if unavailable will use the alternate cover specified in Section VI, 1B(2)), affix the cover sheet to the top of the material, and have the DCA take it to PCB for an accession number; the PM Team DCA will then return with the accessioned material to the team for further processing as described in 1c or d.

(2) If the amendment is received through PCB, the reviewer will follow the procedures for new registrations in 1.

(3) Where a reviewer from TSS or HED requests CBI, the PM Team's reviewer will obtain the information from the Company Data Library and transmit the material according to the procedures in 1c or d.

(4) If the registration is approved, the procedures specified in 1d (6) of this Section will be followed. If the registration is denied, the procedures specified in 1d (7) will be followed.

C. Tolerance Petitions. The following procedures are to be followed in handling CBI submitted in support of a tolerance or exemption from tolerance:

(1) A tolerance petition coming into the Product Manager Team through PCB will have a CBI red cover sheet (or if unavailable, the alternative specified in Section VI, 1B(2)) on it identifying it as containing CBI. Upon receiving the petition, the receiving clerk or otherwise authorized person will immediately log the petition in as usual (or see that it is logged in) and move it to the appropriate reviewer for review. The reviewer will transmit the necessary copies of CBI-containing data to HED in accordance with the procedures specified in 1 d(1)-(5). Duplicate numbered copies of the data will be given to the DCA to take to the Company Data Library for storage or disposal.

(2) If in the course of reviewing the submission, the reviewer finds it necessary to photocopy CBI for transmittal outside Registration Division, he/she will obtain from the DCA the form entitled REQUEST TO COPY OPTS CONFIDENTIAL BUSINESS INFORMATION. After filling out the request form, the reviewer will obtain his/her Product Manager's concurrence on the form approving the request. The form will then be taken by the reviewer, DCA, or otherwise authorized person on the team to the OPP Confidential Document Copy Center where the requested number of copies will be made by the DCA operator in charge. The copies will be numbered, logged and entered into the tracking system. (A product manager desiring to photocopy CBI may fill out the same form at the OPP Confidential Document Copy Center without getting his branch chief's approval.) When the reviewer is no longer actively working on the submission, the correspondence jacket will be stored in a secured cabinet as specified in Section IV, 1, of this manual unless the material in it is used as a reference source, in which case it will be kept locked in the reviewer's desk.

(3) In those cases where a reviewer requests typing of material containing CBI from a contractor, he/she will follow the procedures specified in 1 e.

(4) In those cases where a reviewer or Product Manager sends a Federal Register document accompanied by Chemistry and Toxicology Branch reviews which contain CBI to the Federal Register Section or hand carries a final document accompanied by such reviews for concurrence, he/she will:

a. Obtain a CBI red cover sheet (or if unavailable, use the alternative specified in Section VI, 1b(2)) from the DCA and place it on top of the CBI-containing material.

b. Transmit the material in a brown, gummed envelope with the words CONFIDENTIAL BUSINESS INFORMATION stamped or printed on the outside.

D. Amended Tolerance Petitions. The following procedures are to be followed in handling CBI submitted in support of an amended tolerance petition.

(1) Upon receiving an amendment containing confidential data in the mail, the reviewer will obtain from the PM Team DCA a CBI red cover sheet (or if unavailable, use the alternative specified in Section VI, 1b(2)), affix the cover sheet to the top of the material, and take it to PCB for an accession number, then return with the material to the team for further processing as set forth in 3a and b.

(2) If the amendment containing confidential data is received through PCB and the reviewer requests an HED review, he/she will transmit the data in accordance with the procedures specified in 1D(1)-(5).

(3) When a reviewer from HED requests CBI in order to review the amendment, the PM Team reviewer will obtain the information from the Company Data Library and transmit the material according to the procedures in 1D(1)-(5).

(4) Upon completion of the amendment action (approval or rejection), the correspondence jacket will either be kept in a secured cabinet as specified in Section IV, 1, or transferred to the Company Data Library by the DCA.

E. RPARs. In those cases where a reviewer from the Special Pesticide Review Division (SPRD) requests CBI in connection with a Rebuttable Presumption Against Registration action, the PM Team reviewer or otherwise authorized person will obtain the data from the DCA in the Company Data Library, return with the CBI to the team where it will be transferred to SPRD in accordance with the procedures set forth in 1d(1)-(5). When the material is returned to the PM Team reviewer from SPRD, he/she will return it to the Company Data Library or give it to the DCA or otherwise authorized person, who will return it to the Company Data Library.

F. Congressional Material. In transmitting CBI to a Congressional Committee, obtain the blue Privileged Information Control Record from the DCO and affix it to the front of the envelope containing the CBI. As in Section VI 4A of the manual, this material is transmitted through the office of the Deputy Assistant Administrator of OPP.

G. Miscellany. Problems arising in connection with infrequent actions which are covered in other sections of this manual, such as destruction of CBI, transmittal of CBI outside EPA, requests from registrants to photocopy their own CBI, and requests from divisions other than HED and SPRD for CBI, should be referred to the DCO. Any CBI problems not covered by these procedures should be referred to the DCO. In any unusual situation involving CBI, do not act on your own; always call the DCO.

2. PROCESS COORDINATION BRANCH PROCEDURES

The following security procedures for the Process Coordination Branch are listed by administrative or operational units:

A. Coordination Section.

(1) Mail Room. The mail clerks will separate out the CBI-marked mail from the non-CBI mail by putting the CBI mail in a locked box, which will be transported on the mail cart along with the non-CBI mail as part of the regular mail run. The CBI mail will be delivered along with the non-CBI mail except that it will be kept in the locked box until it is brought to its destination. The mail room will never be left open unattended. No employees other than mail room personnel will normally be permitted inside. If for any reason, mail room personnel cannot be in attendance, the door will be locked and a sign posted on it saying when the personnel will return.

(2) Registration Support Team. The DCA in the Registration Support Team will receive the submission (registration application/amendment or tolerance petition/amendment) and determine whether or not it contains CBI unless the submitter has already claimed that it contains CBI. If it does and it is a registration action, the DCA will hand carry the submission to the clerk- typist, who assigns a file symbol and registration number. If the submission is a tolerance petition, the DCA will hand carry it to a team member, who puts it in a jacket and assigns a petition number. The clerk- typist will stamp on the jacket CONFIDENTIAL BUSINESS INFORMATION - DOES NOT CONTAIN NATIONAL SECURITY INFORMATION (E.O. 12065) and place a CBI red cover sheet (or a substitute as specified in Section VI, 1B(2) of this manual) on top of the material. The submission will then be processed through the team as usual in accordance with the regular work procedures as well as the routine security procedures outlined in Section IV of this manual.

(3) Liaison Team.

a. Upon receipt of the submission from the clerk-typist in the Registration Support Team, the Liaison Team clerk will hand carry the submission as usual to the pesticide clerk on the Product Manager Team. If the Liaison Team clerk is unable to complete delivery of the submission by close of business, he/she will store it in a secured cabinet as specified in Section IV, 1, and make delivery the morning of the next work day.

(In the case of confidential data to be sent to HED, the originator will already have prepared the package

in accordance with security procedures; thus, the Liaison Team Chemist in addition to performing the usual operations of prioritization and assignment of a projected completion date, need only fill out the Data Review Record when the package goes out to HED and when it comes back in.)

b. Upon receiving in the mail an inert ingredient submission containing confidential data which must be sent to HED for review, the Inert Ingredient Product Manager will:

   1. Obtain from the DCA in the Liaison Team the form entitled REQUEST TO COPY OPTS CONFIDENTIAL BUSINESS INFORMATION. After filling out the request form, the Inerts Product Manager will obtain the Coordination Section Chief's concurrence on the form approving the request. The form will then be taken by the Inerts PM or otherwise authorized person on the team to the OPP Confidential Document Copy Center where the required number of copies will be made by the DCA operator in charge.

   2. Log the data out on the Data Review Record (including assigning a control number and dating).

   3. Obtain from the Liaison Team DCA a CBI red cover sheet (or if unavailable, use the alternate cover specified in Section VI, 1B(2)) and the "Receipt of Confidential Data" form.

   4. Attach the cover sheet and the Data Review Record on top of the data.

c. Give the package to the DCA of the Inert Ingredient Product Manager Team to hand carry to the Liaison Team Chemist (for prioritizing and completion date) from where it will be transferred to HED.

d. When the CBI is returned to PCB, the Liaison Team Leader, DCA, or otherwise authorized person on the Inert Ingredient Product Manager Team will pick up the material. The DCA will log the material back in on the Data Review Record.

e. Where the Liaison Team Leader is to transmit to OGC a final Federal Register document which includes HED reviews containing CBI, the Team Leader will obtain from the Liaison Team DCA a CBI red cover sheet (or a substitute as specified in Section VI, 1B(2)) and the "Receipt of Confidential Data" form and attach them to the front of the document folder, place the folder in

a brown, gummed envelope, seal and address the envelope, and then take the package to the DCA, who will stamp on the outside CONFIDENTIAL BUSINESS INFORMATION - DOES NOT CONTAIN NATIONAL SECURITY INFORMATION (E.O. 12065). The Team Leader will then give the package to the Coordination Section Secretary, who will hand carry the package to OGC. The Secretary will pick up the package from OGC when it has been signed off (including the "Receipt of Confidential Data") and return the package to the Team Leader.

B. Emergency Response Section.

(1) Emergency Exemption Team.

a. The Emergency Exemption Team receives specific exemption requests from states and Government agencies through the mail room, the Process Coordination Branch, the Communications Center, and Federal Express. After processing the request in accordance with established team procedures, the Secretary will transmit the request to the front-end reviewer to determine whether scientific reviews are needed. If in connection with a specific exemption request, the front-end reviewer receives CBI, he/she should obtain from the Emergency Response Section DCA a CBI red cover sheet (or a substitute as specified in Section VI, paragraph 1B(2)) and attach it to the material if this has not already been done. In the course of reviewing such a CBI-containing request, all reviewers will follow the routine security procedures outlined in Section IV, (paragraph 3), of this manual. In those cases where a review is requested from the Hazard Evaluation Division (HED), the front-end reviewer will:

1. Obtain from his/her DCA the form entitled REQUEST TO COPY OPTS CONFIDENTIAL BUSINESS INFORMATION. After filling out the request form, the reviewer will obtain his/her supervisor's concurrence on the form approving the request. The form will then be taken by the reviewer, DCA, or otherwise authorized person on the team to the OPP Confidential Document Copy Center where the requested number of copies will be made by the DCA operator in charge. The copies will be numbered and entered into the tracking system. (A supervisor desiring to photocopy CBI may fill out the same form at the OPP Confidential Document Copy Center without getting his/her supervisor's approval.) While the reviewer is no longer actively working on the request, the

jacket should be stored in a secured cabinet as specified in Section IV of this manual.

2. Log out the data on the usual Data Review Record (including assigning a control number and dating).

3. Obtain from the Emergency Response Section DCA a CBI red cover sheet (or if unavailable, use the alternate cover specified in Section VI, 1B(2)) and the "Receipt of Confidential Data" form.

4. Attach the cover sheet and Data Review Record on top of the data.

5. Hand carry the package to PCB (for prioritizing and completion date) from where it will be sent to HED.

6. When the CBI is returned to PCB, the front-end reviewer or other authorized person in the Emergency Response Team will pick up the material.

7. After the reviews are completed, should a reviewer find it necessary to destroy extra copies of confidential data, he/she will:

   a. Obtain from the Emergency Response Section DCA the form entitled REQUEST TO DESTROY OPTS CONFIDENTIAL BUSINESS INFORMATION.

   b. Fill out the form and have it approved by the DCO.

   c. Hand carry the data in a brown, gummed envelope or 12 x 10 x 8 shipping box to the OPTS Paper Pulverizer in Waterside Mall, where it will be destroyed by authorized personnel.

b. Where a reviewer receives a tolerance petition/amendment containing CBI, the reviewer will:

1. Follow the routine security procedures outlined in Section IV, 3, and transmit the necessary copies of confidential data to HED in accordance with the procedures specified in 2a(1)(a)-(e) in this section of the security manual.

2. Where the reviewer is to transmit to OGC a final Federal Register document which includes HED reviews containing CBI, the reviewer will obtain from the Emergency Response Section DCA a CBI red cover sheet (or a substitute as specified in Section VI, 1B(2)) and the "Receipt of Confidential Data" form and attach

them to the front of the document folder, place the folder in a brown, gummed envelope, seal and address the envelope, and then take the package to the DCA, who will stamp on the outside CONFIDENTIAL BUSINESS INFORMATION - DOES NOT CONTAIN NATIONAL SECURITY INFORMATION (E.O. 12065). The reviewer will then either hand carry the package to OGC or give the package to an otherwise authorized person who will hand carry it to OGC. The reviewer or otherwise authorized person will pick up the package from OGC when it has been signed off (including the "Receipt of Confidential Data" form).

3. Where the reviewer is to transmit to HED or SPRD a final Federal Register document which includes HED reviews containing CBI, the reviewer will obtain from the DCA a CBI red cover sheet (or a substitute as specified in Section VI, 1B(2)) and the "Receipt of Confidential Data" form and attach them to the front of the document folder, place the folder in a brown, gummed envelope, seal and address the envelope, and then take the package to the DCA, who will stamp on the outside CONFIDENTIAL BUSINESS INFORMATION - DOES NOT CONTAIN NATIONAL SECURITY INFORMATION (E.O. 12065). After logging out the document on the Data Review Record, the reviewer will then hand carry the package with copies of the Submission Review Record attached to the Liaison Team Chemist for prioritization and completion date. When the signed document comes back from HED or SPRD (including the "Receipt of Confidential Data"), the reviewer or otherwise authorized person will pick it up from PCB.

4. Where the reviewer is to transmit to the Director of the Registration Division a final Federal Register document which includes HED reviews containing CBI, the reviewer will place the document with the CBI red cover sheet (or its substitute) in the out box of the Emergency Response Section from where it will be delivered by the Section Secretary or otherwise authorized person to the office of the PCB Chief for concurrence and transmittal to the Registration Division Director's office for sign-off. (After sign-off by the Director, the document will be forwarded to the Federal Register Section by the Director's office using its own delivery procedures.)

5. After the reviews are completed, should the reviewer find it necessary to destroy extra copies of confidential data, he/she will:

   a. Obtain from the Emergency Response Section DCA the form entitled REQUEST TO DESTROY OPTS CONFIDENTIAL BUSINESS INFORMATION.

b. Fill out the form and have it approved by the DCO.

c. Hand carry the data in a brown, gummed envelope or 12 x 10 x 8 shipping box to the OPTS Paper Pulverizer in Waterside Mall, where it will be destroyed by authorized personnel.

(2) I. D. Team. When in the course of reviewing an enforcement action, the reviewer requires a registration jacket containing CBI, he/she will have the I. D. Team clerk get it from the Product Manager Team and process it in accordance with the usual work procedures. In the course of reviewing the material, the reviewer should follow the routine security procedures outlined in Section IV, 3, of this manual. In those cases where a reviewer requests a review from a Technical Support Section (TSS), the Emergency Response Section's DCA will log out the data on the Data Review Record (including assigning a control number and dating). After obtaining a CBI red cover sheet (or a substitute as specified in Section VI, 1B(2)) from the Response Section DCA and affixing it on top of the CBI-containing material, the reviewer will give the jacket to the I. D. Team clerk, who will then hand carry the material to the receiving clerk or DCA in a TSS for logging in. (The Herbicide-Fungicide TSS requires that all CBI material be received by the DCA only.) When the TSS clerk delivers the material with the completed TSS review back to the I. D. Team, the I. D. clerk will immediately log the jacket back in and hand the package to the reviewer. Every effort should be made to minimize the time that the jacket lies around in the in-box. When the reviewer no longer needs the registration jacket, he/she will give it to the I. D. clerk, who will log it out and hand carry it back to the original Product Manager Team.

3. TECHNICAL SUPPORT SECTION SECURITY PROCEDURES

A. Upon receipt of a registration jacket and/or a submission to be reviewed, the TSS clerk or DCA will log in the material in the Section's log book and then store the package in a secured cabinet as specified in Section IV, 1, of this manual until a reviewer is ready to work on the submission. The jacket or submission should already be stamped CONFIDENTIAL BUSINESS INFORMATION - DOES NOT CONTAIN NATIONAL SECURITY INFORMATION (E.O. 12065) and contain a red CBI cover sheet over the confidential data. If this has not been done, the clerk or secretary should give the package to the section's DCA, who will correct the deficiencies.

B. In the course of reviewing the submission, the reviewer will follow the routine security procedures outlined in Section IV, 3, of this manual.

(1) In those cases where a reviewer requests typing of a review containing CBI from a contractor, he/she will:

a. Obtain a CBI red cover sheet (or a substitute as specified in Section VI, 1B(2)) from the DCA and place it on top of the draft.

b. Place the material in a brown, gummed envelope (or a 12 x 10 x 8 shipping box ordered through the GSA supply store if a large number of reviews are involved) addressed to the contractor with the words CONFIDENTIAL BUSINESS INFORMATION and TO BE OPENED BY ADDRESSEE ONLY printed or stamped on the outside.

c. Place the envelope inside a second brown, gummed envelope with only the recipient's full mailing address on it if the 12 x 10 x 8 shipping box is not used.

d. Obtain from the DCA, EPA Form 7710-9 "Request for Typing/Editing," and after filling out the form completely, including inserting the words CONFIDENTIAL BUSINESS INFORMATION in block 20, attach the form to the outside of the envelope or 12 x 10 x 8 shipping box.

e. Give the package to the DCA, who will retain the yellow control copy from EPA Form 7710-9.

(2) The DCA will then hand carry the package to the branch office, where he/she will put it in the contractor's pick-up box.

(3) When the typed final is returned from the contractor, the DCA will pick it up from the return box in the branch office, log it in on the yellow control copy of the EPA Form 7710-9, and hand it to the reviewer or hold it in a secured cabinet as specified in Section IV, 1, until such time as he/she can hand it to the reviewer.

(4) When the typed final has been signed off and is ready to go back to the originator, the reviewer will link it up with the rest of the original jacket and/or submission and hand the package to the clerk or DCA, who will log it out in the Section Log Book and return it to the originator.

REGISTRATION DIVISION DATA REVIEW RECORD

Confidential Business Information - Does Not Contain National Security Information (E.O. 12065)

- Chemical Name _____

- Identifying Number 3. Action Code 4. Accession Number

14. CHECK THE FOLLOWING IF APPLICABLE:

|_| Public Health/Quarantine
|_| Substitute Chemical
|_| Seasonal Concern
|_| Minor Use
|_| Part of IPM
|_| Review Requires Less Than 4 Hrs.

To Be Completed By PM

5. Record Number _____
6. Reference Number _____
7. Data Received (EPA) _____
8. Statutory Due Date _____
9. Product Manager _____
10. PM Team Number _____

To Be Completed By PCB

11. Data Sent to HED/TSS _____
12. Priority Number _____
13. Projected Return Date _____

15. INSTRUCTIONS TO REVIEWER

A. HED
|_| Total Assessment - 3(c)(5)
|_| Incremental Risk Assessment - 3(c)(7) and/or E.L. Johnson memo of May 12, 1977.

C. |_| BFSD D. |_| TSS/RD E. |_| Other

F. Instructions _____

B. SPRD (Send Copy of Form to SPRD PM)

|_| Chemical Undergoing Active RPAR Review

|_| Chemical Undergoing Active Registration Standards Review

16. Related Actions: _____

17. 3(c)(1)(D)

|_| Use Any or All Available Information
|_| Use Only Attached Data
|_| Use Only the Attached Data for Formulation and Any or All Avaliable Information. On the Technical or Manufacturing Chemical.

18. Reviews Sent To: |_| TB |_| RCB |_| EEB |_| EFB |_| EF |_| CH |_| PL |_|

19	TO	TYPE OF REVIEW	REGIS.	PETIT.	EUP	SLN	SEC. 18	IMERT	US	OTHER
		TOXICOLOGY								
		ECOLOGICAL EFFECTS								
		RESIDUE CHEMISTRY								
		ENVIRONMENTAL FATE								
		CHEMISTRY								
		EFFICACY								
		PRECAUT. LABELING								
		ECONOMIC ANALYSIS								

20. |_| Label Submitted With Application Attached.

21. |_| Confidential Statement of Formula Attached

22. |_| Representative Labels Showing Accepted Uses Attached.

23. Data Returned to RD (to be completed by HED) _____

24. Include an Original and 4 (four) Copies of This Completed Form for Each Branch Checked for Review.

SPECIAL PESTICIDE REVIEW DIVISION
SECURITY PROCEDURES

1. Procedures for Receiving CBI into SPRD Document Control Officer Responsibilities

As soon as documents containing CBI are received in SPRD, they will be hand carried to the DCO/DOA located in Room 724B. The DCO/DCA will maintain a control log and using the FIFRA procedures will transmit the information to the appropriate branch, assuring that the project manager signs for the information. The DCO will assure that this data is kept in an approved CBI file cabinet.

In the event that the chemical has not been assigned to a branch, the DCO/DCA will log in the CBI information and retain it in her/his locked file until it is assigned.

The DCO also maintains a separate log transmitting to and receiving data from the typing contractor and ensures that the log is initialled when data is picked up and delivered by the contractor and the branch involved. See Attachment 3.

2. Section Chief and Project Manager Responsibilities

The section chief is responsible for overseeing the security of the CBI information within his/her section.

The project manager is responsible for maintaining security of the data he/she is currently working on. He/she is also responsible for obtaining any information not previously assigned from the DCO and signing for it. The project manager will be responsible for logging CBI information through the DCO/DCA when sending the information to another division for review.

3. Procedure for Safeguarding Proprietary Information from Unauthorized Release

Project managers must prepare and attach a bibliographic reference sheet to all packages submitted by the Special Pesticide Review Division (SPRD) to other groups for validation or assessment. References must be identified as to their status if they are confidential from a company source. Data referenced may have originally been submitted to EPA by registrants of pesticide products and/or petitioners for a tolerance. The company has certain rights to confidentiality of such data under appropriate statutes.

It is the responsibility of each Project Manager to assure the status of all references before they are released to any other group, either inside or outside the Agency. Project Managers can refer to agency regulations for safeguarding proprietary data for definitions and examples of confidential data. These regulations were published

in the Federal Register and SPRD's Administrative Officer has a copy on file. The PM's can also consult the Office of Pesticide Programs Freedom of Information (FOI) Officer or staff in the Information Services Branch, Program Support Division for clarification of the status of a document or assistance in obtaining clearance. The FOI Officer maintains a listing of data and companies to which the data belong. The status of data submitted to the Agency for registration of pesticide products is considered confidential unless otherwise identified under the FOI. If all or part of such data has been officially cleared through the FOI system, then an official letter written by the FOI office will be included in the file indicating such. The Project Manager must place a copy of this release letter in the RPAR files and indicate the status in bibliographic citations.

Data found in the open literature through either computer based searches or manual searches are totally releaseable without going through the FOI officer. If a reference found in the open literature is also cited in a company file, then the reference would not be considered confidential or trade secret if it is identical in all respects.

An example of how references should be marked follows. All citations are non-confidential unless marked with the C. C indicates confidential data which should not be released.

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   C.R. Acad. Sc. Paris, 272:1447-1450. 1971

3. Goto, M. Et al.
   Contributions to the Ecological Chemistry. II.
   Hepatoma Formation in Mice after Administration
   of high Doses of BHC isomers.
   Ehcmosphere. 1 (6):279-282. 1972

4. Green, Sidney
   Cytogenetic Evaluation of Several Dioxins in the
   rat. Draft Documents (Confidential).

*All requests for copies of the referenced material must be submitted to the Freedom of Information Officer, Office of Pesticide Programs. A cost of $0.20 per page is charged for reproduction.

Confidential/proprietary information used during the RPAR process and ultimately retained as part of the administrative record must be identified with a confidential red cover sheet (Appendix C2 in manual). The precautionary statements on the red cover sheet are to be followed without exception.

SPRD's DCO maintains a supply of confidential red border cover sheets. Work papers and working drafts must be stamped with "FOR OFFICIAL USE ONLY -- Public availability to be determined unde 5 U.S.C. 522." All branches have been given a supply of these stamps and others can be purchased at the GSA Self-Service Store.

4. COMPUTER SECURITY

The Special Pesticide Review Division has a secure, password-protected computer system which is limited to authorized users only. The system also has the capability to keep records on system use by each operator.

The system has both a back up disk and tape which enable the Division to recover accidently lost information if the disk or tape systems fail. These disks and tapes are stored in a locked cabinet at the end of each working day.

ENVIRONMENTAL PROTECTION AGENCY
SPRD CONFIDENTIAL BUSINESS INFORMATION
INVENTORY LOG AND USER
COPY SIGN OUT LOG

e .	SPRD Doc. No.	No. of Pages	Rec. From	Description	Cover sheet Attached	Date/Time Checked Out	Last Name	Signature	Date Returned	Destroyed	Returned to Sender	DCO Initials
										Date____ Name____ ID____ Recp. Rec.	Date____ Name____ ID____	

SPRD-4

CONFIDENTIAL BUSINESS INFORMATION RECEIPT

Control No. _____

Raven Request No. _____

Branch _____

Preparer's Name & Phone Number:

_____

Received by _____
Contractor's Signature

Date _____

RETURN THIS FORM TO TS-791,
Special Pesticide Review Division
Room 724B, Crystal Mall Bldg. 2

CONFIDENTIAL BUSINESS INFORMATION TRANSMITTING LOG:

Branch	Contractor Request No.	C.B.T. Control No.	Signature, Date & Time of Persons Transmitting/Receiving Document			
			In to Dir Off	Out to Contractor	In from Contractor	In to Branch

APPENDIX A-1

I. ACCESS AUTHORIZATION FOR FIFRA CONFIDENTIAL BUSINESS INFORMATION (CBI)

Full Name	EPA ID	Position	Office (include Division

IT IS THE RESPONSIBILITY OF EACH AUTHORIZING OFFICIAL**TO ENSURE THAT EMPLOYEES UNDER HIS/HER SUPERVISION OBTAIN ACCESS ONLY TO THAT INFORMATION REQUIRED TO PERFORM OFFICIAL DUTIES UNDER FIFRA.

Signature of Authorizing Official _____ Date _____

Title _____ Location _____

Local Document Control Officer (DCO) _____ Phone _____

Designating Officials Must be Division Directors (or Equivalent) or Above

II.

CONFIDENTIALITY AGREEMENT FOR EPA EMPLOYEES

I understand that I will have access to certain Confidential Business information submitted under the Federal Insecticide, Fungicide and Rodenticide Act as amended by PL 92-396. This access has been granted in accordance with my official duties as an employee of the Environmental Protection Agency.

I understand that the FIFRA Confidential Business Information may not be disclosed except as authorized by FIFRA and Agency regulations. I understand that undersection 10f of FIFRA, I am liable to a possible fine of up to $10,000 and/or imprisonment for up to one year if I will fully disclose FIFRA Confidential Business Information to any person not authorized to receive it. Additionally, I understand that according to section 114(b)(3), FIFRA provides for a penalty of up to $10,000 and up to three (3) years imprisonment for disclosure of formula information (manufacturing process, quality control processess, and production data) with intent to defraud.

I agree that I will treat FIFRA Confidential Business Information furnished to me as confidential and that I will follow the procedures set forth in the Office of Pesticide Programs Security Manual.

I have read and understand the procedures.

I am aware that I may be subject to criminal penalties under 18 U.S.C. 1001 if I have made any statement of material facts knowing that such statement is false or if I willfully conceal any material fact.

Signature _____ Date _____

Name (Print) _____ EPA I.D. Number _____

APPENDIX A-2

CONFIDENTIALITY AGREEMENT FOR

UNITED STATES EMPLOYEES UPON TERMINATION OR TRANSFER

In accordance with my official duties as an employee of the United States, I have had access to Confidential Business Information under the Federal Insecticide, Fungicide, and Rodenticide Act as amended (FIFRA, 7 U.S.C. 136 et seq.). I understand that FIFRA Confidential Business information may not be disclosed except as authorized by FIFRA or Agency regulations.

I certify that I have returned all copies of any FIFRA Confidential Business information in my possession to the appropriate document control officer specified in the procedures set forth in FIFRA Confidential Business Information Security Manual.

I agree that I will not remove any copies of FIFRA Confidential Business Information from the premises of the Agency upon my termination or transfer. I further agree that I will not disclose any FIFRA Confidential Business Informtion to any person after my termination or transfer.

I understand that as an employee of the United States who has had access to FIFRA Confidential Business Information, under section 10(f) of FIFRA I am liable for a possible fine of up to $10,000 and/or imprisonment for up to one year if I willfully disclose FIFRA Confidential Business Information to any person. Additionally, I understand that according to section 14(b)(3), FIFRA provides for a penalty of up to $10,000 and up to three (3) years imprisonment for disclosure of formula information (manufacturing process, quality control processes, and production data) with intent to defraud.

If I am still employed by the United States, I also understand that I may be subject to disciplinary action for violation of this agreement.

I am aware that I may be subject to criminal penalties under 18 U.S.C. 1001 if I have made any statement of material facts knowing that such statement is false or if I willfully conceal any material fact.

_____	_____
SIGNATURE	DATE
_____	_____
NAME	ID NUMBER

APPENDIX B-1

FIFRA CONFIDENTIAL BUSINESS INFORMATION
MEETING SIGN-IN SHEET (EPA ONLY)

DATE: _____ TIME: _____

PLACE: (Room) _____ (Building) _____ (City) _____

CHAIRPERSON: _____

SUBJECT OF MEETING: _____

_____

_____

NAME (PRINT)	SIGNATURE	OFFICE/DIVISION/BRANCH	EPA ID

THIS SIGN-UP SHEET MUST BE GIVEN TO THE APPROPRIATE DCO/DCA

APPENDIX B-2

CBI MEETING REPORT

Date _____ Time _____ Location _____

Subject _____

(and/or) _____

EPA Reg. No. _____ Pesticide Petition No. _____

Company(s) Involved _____

Pesticide Company Representatives

_____

Printed Signed

_____

_____

Printed Signed

_____

_____

Printed Signed

_____

Brief Summary of Discussion (For additional space see addendum)

_____

_____

Action Taken or Recommendation

_____

_____

_____

EPA Representatives Office

_____ _____

_____ _____

_____ _____

Recorder _____

CONFIDENTIAL BUSINESS INFORMATION DOES NOT CONTAIN NATIONAL SECURITY INFORMATION (EO 12065)

CONFIDENTIAL BUSINESS INFORMATION DOES NOT CONTAIN NATIONAL SECURITY INFORMATION (EO 12065)

SOME INFORMATION IN THE ATTACHED MATERIAL MAY BE ENTITLED TO TREATMENT AS TRADE SECRET OR PROPRIETARY DATA UNDER SECTION 7(d) AND SECTION 10 THE FEDERAL INSECTICIDE, FUNGICIDE AND RODENTICIDE ACT (FIFRA) AS AMENDED.

SOME INFORMATION IN THE ATTACHED MATERIAL MAY BE ENTITLED TO TREATMENT AS TRADE SECRET OR PROPRIETARY DATA UNDER SECTION 7(d) AND SECTION 10 THE FEDERAL INSECTICIDE, FUNGICIDE AND RODENTICIDE ACT (FIFRA) AS AMENDED.

ANY PERSON HANDLING OR USING THE ATTACHED DATA IN ANY WAY IS RESPONSIBLE FOR PREVENTING UNAUTHORIZED DISCLOSURE WHILE IN HIS POSSESSION. SECTION 12(a)(2)(D) MAKES IT UNLAWFUL FOR ANY EMPLOYEE TO USE TO HIS OWN ADVANTAGE OR TO REVEAL ANY CONFIDENTIAL INFORMATION (EXCEPT TO PERSONS NEEDING THE INFORMATION FOR THE PERFORMANCE OF OFFICIAL DUTIES). A PENALTY OF UP TO $10,000 FINE AND UP TO 3 YEARS IMPRISONMENT MAY RESULT FROM CONVICTION OF A VIOLATION ON SECTION 12(a)(2)(D).

SECTION 10(f) MAKES IT A CRIME FOR ANY EMPLOYEE TO DISCLOSE CONFIDENTIAL INFORMATION EXCEPT AS AUTHORIZED BY SECTION 7 AND 10 OF FIFRA. A PENALTY OF UP TO $10,000 FINE AND UP TO ONE YEAR IN JAIL MAY RESULT FROM CONVICTION OF A VIOLATION OF SECTION 10(f).

THE ATTACHED INFORMATION IS NOT TO BE PUBLISHED, REPRODUCED, PUBLICLY DISCUSSED, INCLUDED IN RESPONSE TO AN FOI REQUEST OR OTHERWISE RELEASED WITHOUT THE EXPLICIT WRITTEN AUTHORIZATION OF THE APPROPRIATE DIVISION DIRECTOR OR HIS DESIGNEE.

APPENDIX C-2

CONFIDENTIAL BUSINESS INFORMATION DOES NOT CONTAIN NATIONAL SECURITY INFORMATION (EO 12065)

SOME INFORMATION IN THE ATTACHED MATERIAL MAY BE ENTITLED TO TREATMENT AS TRADE SECRET OR PROPRIETARY DATA UNDER SECTION 7(d) AND SECTION 10 THE FEDERAL INSECTICIDE, FUNGICIDE AND RODENTICIDE ACT (FIFRA) AS AMENDED.

ANY PERSON HANDLING OR USING THE ATTACHED DATA IN ANY WAY IS RESPONSIBLE FOR PREVENTING UNAUTHORIZED DISCLOSURE WHILE IN HIS POSSESSION. SECTION 12(a)(2)(D) MAKES IT UNLAWFUL FOR ANY EMPLOYEE TO USE TO HIS OWN ADVANTAGE OR TO REVEAL ANY CONFIDENTIAL INFORMATION (EXCEPT TO PERSONS NEEDING THE INFORMATION FOR THE PERFORMANCE OF OFFICIAL DUTIES). A PENALTY OF UP TO $10,000 FINE AND UP TO 3 YEARS IMPRISONMENT MAY RESULT FROM CONVICTION OF A VIOLATION ON SECTION 12(a)(2)(D).

SECTION 10(f) MAKES IT A CRIME FOR ANY EMPLOYEE TO DISCLOSE CONFIDENTIAL INFORMATION EXCEPT AS AUTHORIZED BY SECTION 7 AND 10 OF FIFRA. A PENALTY OF UP TO $10,000 FINE AND UP TO ONE YEAR IN JAIL MAY RESULT FROM CONVICTION OF A VIOLATION OF SECTION 10(f).

THE ATTACHED INFORMATION IS NOT TO BE PUBLISHED, REPRODUCED, PUBLICLY DISCUSSED, INCLUDED IN RESPONSE TO AN FOI REQUEST OR OTHERWISE RELEASED WITHOUT THE EXPLICIT WRITTEN AUTHORIZATION OF THE APPROPRIATE DIVISION DIRECTOR OR HIS DESIGNEE.

APPENDIX C-3

CONFIDENTIAL BUSINESS INFORMATION - DOES NOT CONTAIN NATIONAL SECURITY INFORMATION (E.O. 12065)

ENVIRONMENTAL PROTECTION AGENCY
FIFRA CONFIDENTIAL BUSINESS INFORMATION
USER SIGN OUT LOG

Date/Time Checked Out	OPP Document Control Number/ Copy Number	USER INFORMATION			DCO Initial	Date Returned	DCO Initial	Date Destroyed	DCO Initial	Comments
		EPA ID Number	Last Name	Signature						
Date_____ Time_____										
Date_____ Time_____										
Date_____ Time_____										
Date_____ Time_____										
Date_____ Time_____										
Date_____ Time_____										
Date_____ Time_____										
Date_____ Time_____										
Date_____ Time_____										
Date_____ Time_____										

APPENDIX E-1

DATE OF REQUEST 1	REQUEST FOR TYPING/EDITING	REQUEST NUMBER 2 № 35557

REQUESTOR

NAME 3	OFFICE 4	LOCATION 5	PHONE NO. 6

TYPE OF ORIGINAL

7 ☐ MEMO ☐ LETTER ☐ FORM LETTER ☐ REPORT

TYPING REQUIRED

8 ☐ DOUBLE-SPACED DRAFT ☐ DOUBLE-SPACED DRAFT, SPECIAL FORMAT
☐ CLEAN TYPED FINAL ☐ CLEAN TYPED FINAL, SPECIAL FORMAT

EDITING REQUIRED	MAGNETIC CARD REQUIRED
9 ☐ LIGHT EDITING ☐ SUBSTANTIVE EDITING	10 ☐ YES ☐ NO

REQUESTED TURNAROUND TIME

11 ☐ OVERNIGHT ☐ 24 HOUR ☐ 2 DAY ☐ 5 DAY

ACTION DATES

	DATES		DATES
RECEIVED BY PROJECT OFFICER	12	RECEIVED FROM CONTRACTOR	15
REJECTED BY PROJECT OFFICER	13	RETURNED TO ORIGINATOR	16
SENT TO CONTRACTOR	14		

COMMENTS

17

18

19

20 CONFIDENTIAL BUSINESS INFORMATION

21 Enter log number

EPA HQ Form 7710-9 (7-78) COPY 1-To be retained by ORIGINATOR

APPENDIX E-2

RECEIPT OF CONFIDENTIAL DATA

I have received the Confidential Material submitted by

_____, _____, _____
(Name) (Branch) (Room)

_____, _____
(Date) Document Control Assistant

_____ please acknowledge

I have received the Confidential Material submitted to

me from _____.

_____ _____
(Date) (Name)

APPENDIX E-3

FIFRA Federal Non-OPTS Employee
Confidentiality Agreement

I understand that as an employee of a Federal agency that has obtained certain Confidential Business Information submitted to the Environmental Protection Agency under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7 U.S.C. 136 et seq..), I will have accesss to such information. This access has been granted in accordance with my official duties under a law to protect health or the environment or for specific law enforcement purposes.

I understand that FIFRA Confidential Business Information may not be disclosed by me except as authorized by FIFRA, the agreement between my agency and the Environmental Protection Agency, and the security procedures in effect at my agency. I understand that under section 10(f)(3) of FIFRA, I am liable for a possible fine of up to $10,000 and/or imprisonment for up to three years if I willfully disclose FIFRA Confidential Business Information to any person not authorized to receive it. In addition, I understand that I may be subject to disciplinary action for violation of this agreement up to and including dismissal.

I agree that I will treat any FIFRA Confidential Business Information furnished to me as confidential and that I will follow the security procedures in effect at my agency for the handling of this type of information. I have been informed of and understand the procedures.

_____ _____
Signature Date

_____
Typed Name

_____ _____
Title Telephone No.

APPENDIX E-4

FIFRA Contractor Employee Confidentiality Agreement

I understand that as an employee of a contractor performing work for the United States Environmental Protection Agency, I will have access to certain Confidential Business Information submitted under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7 U.S.C. 136 et seq.). This access has been granted to me in order to perform my work under the contract.

I understand that FIFRA Confidential Business Information may not be disclosed by me except as authorized by FIFRA, the contract, and the security procedures used by my employer under the contract. I understand that under section 14(b)(3) of FIFRA, I am liable for a possible fine of up to $10,000 and/or imprisonment for up to three years if I willfully disclose FIFRA Confidential Business Information to any person not authorized to receive it. In addition, I understand that I may be subject to disciplinary action for violation of this agreement up to and including dismissal.

I agree that I will treat any FIFRA Confidental Business Information furnished to me as confidential and that I will follow the security procedures used by my employer under the contract. I have been informed of and understand the procedures.

_____ _____

Signature Date

_____

Name

APPENDIX F

REQUEST TO COPY OPTS CONFIDENTIAL BUSINESS INFORMATION

Requestor's Name _____ Date _____
(Please Print)

Organization _____ Mail Code _____ Phone No. _____

I request that the following documents which may contain OPTS Confidential Business Information be copied. I understand that I am responsible and accountable for all copies until I transfer custody.

No.	Description (Acc. #, Reg #, etc)	Number of Original Pages	Number of Copies	Document Control No.

Requestor's Signature _____

Approval _____ _____
(Please Print) (Signature)

Title _____

Organization _____ Mail Code _____ Phone No. _____

Copies Produced _____ By _____
(date) (DCO/DCA)

APPENDIX G

REQUEST TO DESTROY OPTS CONFIDENTIAL BUSINESS INFORMATION

Requestor's Name _____ Date _____
(Please Print)

Organization _____ Mail Code _____ Phone No. _____

I request that the following documents which may contain OPTS Confidential Business Information be destroyed.

Room No.	Description (Acc. #, Reg #, etc)	Document Controlled (Yes or No)	Document Control Number
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			

Requestor's Signature _____

Approval _____ _____ (DCO Only)
(Please Print) (Signature)

Title _____

Organization _____ Mail Code _____ Phone No. _____

Copies Produced _____ By _____
(date) (DCO/DCA)

Appendix H

Document Control Officers (DCOs) and Document Control Assistants (DCAs)

Benefits and Field Studies Division

DCO	_____ (Name)	_____ (Room)	_____ (Phone)
DCA	_____ (Name)	_____ (Room)	_____ (Phone)
DCA	_____ (Name)	_____ (Room)	_____ (Phone)

Hazard Evaluation Division

DCO	_____ (Name)	_____ (Room)	_____ (Phone)
DCA	_____ (Name)	_____ (Room)	_____ (Phone)
DCA	_____ (Name)	_____ (Room)	_____ (Phone)

Program Support Divison

DCO	_____ (Name)	_____ (Room)	_____ (Phone)
DCA	_____ (Name)	_____ (Room)	_____ (Phone)
DCA	_____ (Name)	_____ (Room)	_____ (Phone)

Registration Division

DCO	_____ (Name)	_____ (Room)	_____ (Phone)
DCA	_____ (Name)	_____ (Room)	_____ (Phone)
DCA	_____ (Name)	_____ (Room)	_____ (Phone)

Special Pesticides Review Division

DCO	_____ (Name)	_____ (Room)	_____ (Phone)
DCA	_____ (Name)	_____ (Room)	_____ (Phone)
DCA	_____ (Name)	_____ (Room)	_____ (Phone)

Procedures for Obtaining Interagency Agreements for Furnishing FIFRA Confidential Business Information.

a. If a particular Federal agency will have a continuing need for FIFRA Confidential Business Information, the agency may obtain an interagency memorandum of agreement for access to FIFRA Confidential Business Information.

b. The Deputy Assistant Administrator for Pesticide Programs may negotiate an interagency agreement, in accordance with EPA Order 1610, with another Federal agency for access to FIFRA Confidential Business Information if:

(1) The agreement meets the requirements of 40 CFR Part 2.

(2) The other agency agrees to treat all FIFRA Confidential Business Information obtained from EPA in accordance with the agreement,

(3) The agreement sets forth the purposes for which the information is needed and those purposes are in connection with the agency's duties under any laws to protect health or the environment or for specific law enforcement purposes,

(4) The agreement specifies the security procedures that will be used for protecting the information, and the Deputy Assistant Administrator for Pesticide Programs determines that the procedures will provide at least the same degree of protection as these procedures (or the other agency has adopted these procedures for purposes of the agreement), and

(5) The agreement specifies the procedures that will be followed by the other agency in making specific requests for information under the agreement and to whom the requests will be addressed.

c. The Deputy Assistant Administrator for Pesticide Programs or his/her designee, shall notify the appropriate DCO's of the agreement and the procedures to be followed in responding to specific requests.

d. Under such an agreement, if the applicable procedures in 40 CFR Part 2 have been followed, a DCO may furnish Confidential Business Information to another Federal agency, in accordance with Chapter III of these Procedures, without receiving specific authorization from the Deputy Assistant Administrator for Pesticide Programs for each request.

5. Violations.

a. Any violation of another Federal agency's security procedures, when there is no evidence of unauthorized disclosure, shall be investigated by that agency and appropriate remedial action taken to correct the procedural deficiencies.

b. Any alleged or actual unauthorized disclosure of FIFRA Confidential Business Information by another Federal agency shall be reported immediately by that agency to the EPA Inspector General's office and the Deputy Assistant Administrator for Pesticide Programs.

c. Any violations of the security provisions of an interagency agreement under this chapter shall be investigated by the EPA Inspector General's office which shall report to the Deputy Assistant Administrator for Pesticide Programs. If the Deputy Assistant Administrator for Pesticide Programs finds that the other agency has violated the terms of the interagency agreement, he or she may terminate that agency's right of access pending resolution of the matter.

d. If the investigation by OIG develops information reflecting a possible criminal violation, the case shall be referred to the Department of Justice.

APPENDIX J

PERSONS AUTHORIZED TO REQUEST
CBI MATERIALS FROM OPP DOCUMENT CENTER

Division: _____ Office Symbol: _____

1. The following named personnel assigned to this Division are authorized to withdraw CBI material from the OPP Document Center in accordance with Section V of the FIFRA CBI Security Manual.

a. Branch: _____

Names of Individuals	Badge Number	Room	Telephone

b. Branch: _____

Names of Individual	Badge Number	Room	Telephone

Certificate of CBI Clearance

All persons named above are cleared by this Division for access to CBI. The access authorization forms and agreements specified in the FIFRA CBI Manual are on file with the Division Document Control Officer.

Signature: _____ Date _____
Division Document Control Officer