



EPA

INFO ACCESS

Records Network Communications

RECORDKEEPING REQUIREMENTS PROJECT BEGINS

by Michael L. Miller, Agency Records Officer

Recordkeeping Requirements (RR) will form the basis of the Agency's records management program for the next century, providing the overall context for file plans, records disposition schedules, and other familiar records management tools. The National Records Management Program (NRMP) is conducting a study to develop an Agency recordkeeping requirements framework that programs will be able to use to develop detailed recordkeeping requirements for their records. As currently conceived the framework will consist of seven steps:

STEP I: ISSUE PROGRAM DIRECTIVE

The Agency should issue a directive to identify the program's objectives responsibilities, authorities, etc. To implement this, the NRMP would amend Chapter 10 of the Agency's IRM Manual to include this material.

STEP II: ESTABLISH MEDIA SPECIFIC RECORDKEEPING REQUIREMENTS

The Agency should issue directive(s) specifying requirements for media such as electronic, audiovisual, cartographic, microfilm, image. To implement this, the NRMP would amend current

Agency Records Management Manual chapters to include necessary requirements, using the materials provided in the CFR and the NARA management guide series as a basis for the requirements. A second action would be to include requirements or references thereto in appropriate media specific directives (e.g., systems life-cycle management guide, Agency microform contracts).

STEP III: DEVELOP RECORDKEEPING REQUIREMENTS FOR CREATING AND MAINTAINING COMMON TYPES OF DOCUMENTS

The Agency should produce RR that speak to specific forms of documentation that often cause confusion. In concert with the Office of General Counsel and Agency Programs, the NRMP should develop listings of types of documents to be covered such as drafts, memos for the record, minutes of meetings, notes on telephone calls, E-mail messages, read receipts for E-mail messages, and contractor-maintained records. The RR should indicate the circumstances under which such items must be created and/or maintained.

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Since staff frequently think in terms of types of documents rather than functions or actions documented, it is necessary to provide some guidance in this form. These RR should be developed for any type of document that staff find to be "gray areas" where they need guidance. These RR would serve as "minimum standards" and could be strengthened through function specific RR.

STEP IV: DEVELOP HIGH-LEVEL AGENCY FUNCTIONAL RECORDKEEPING REQUIREMENTS

With the help of Program offices the NRMP should compile listings of major agency functions and supporting documentation. As part of this step the NRMP should review documentation about Agency functions and develop a list of primary programmatic functions. An example might be managing toxic waste sites, with sub-functions to include cleaning up the site, recovering the costs, pursuing litigation, and keeping the public informed.

The NRMP would use the list to review records disposition schedules to determine what records series are currently being created to support these functions. The NRMP would then link records schedules to functions and annotate schedules to show what functions they support. If there were functions for which no records schedules currently exist, the NRMP would contact programs to identify relevant records.

Programs would review the lists of functions and series to determine

whether any records have been missed. Together the NRMP and the Programs would develop a final listing of functions and the series that the Agency determines to be necessary to adequately document those functions.

A key point here is that RR should be developed for the most important functions first; in fact, many operational functions probably won't need detailed requirements. The decision on where to begin and how deep to go should be based on a risk analysis of administrative, fiscal, and legal needs for the records.

STEP V: DEVELOP GENERIC GUIDANCE FOR WIDELY CREATED SERIES

The NRMP should develop generic RR to ensure that basic types of records series such as meeting minutes, dockets, administrative records have similar RR. These RR serve as the basis for more detailed program specific RR. The NRMP and Program offices should identify series for which generic RR are appropriate. Examples would be: dockets, administrative

record files, rulemaking files, permit files (EPA issued), permit files (EPA oversight), Scientific Advisory Board Committee meeting files, program direction files, and program management files.

For each of these generic records series, the NRMP would coordinate development of a basic set of RR that would have to be met at this level. Examples include: retention, a file plan/organizational structure, guidance on drafts, guidance on file maintenance procedures, and document lists to show mandatory documents that must be included, documents that may be included, and documents that should not be included.

STEP VI: DEVELOP SERIES-SPECIFIC RECORDKEEPING REQUIREMENTS

Programs should ensure that all major series needed for documentation of Agency functions have series specific RR. To do so, programs would develop listings of series level mandatory RR. Basic information should include in the RR would be: name of the series, function supported, source of

INFO ACCESS



INFO ACCESS, a forum to provide information and report on progress in information management across the Agency, is produced by the Information Access Branch (IAB) of the Information Management and Services Division (IMSD), Washington, DC, under the direction of Michael L. Miller, National Records Management Program Manager. Please send comments and suggestions to: Manker R. Harris (contractor), Network Coordinator, 3404, EPA National Records Management Program, 401 M Street, SW, Washington, DC 20460. Telephone: 202-260-5272. Electronic mail: Harris.Manker.

DEVELOPMENT OF RECORDS MANAGEMENT MANUALS IN REGION 4

by Rosa Dickens (contractor)

The Regional Records Program for Region IV has been given the task of establishing and promoting records management in the Region. One of the key goals of this program is to create file structures and write manuals for the EPA divisions. Unfortunately, when the present staff came into the program, a backlog of EPA Programs wishing to obtain file structures and manuals had accumulated.

The first task on our agenda was to establish the purpose the manuals were to serve—documenting the organization, maintenance, and disposition of the EPA Programs' records. With this in mind, the contractor responsible for writing the manuals developed a (hopefully, foolproof) technique for getting at the end result—a well written manual that the EPA Programs can utilize.

The first step in this process is to meet with the entire unit that will be receiving the manual and through them determine the kinds of records created by their unit and the persons responsible for the creation of these records. Once that is accomplished, individual meetings are held with those persons to gather more in-depth information needed to develop a file structure and to write the manual. During these meetings a file structure begins to take shape and the process of writing the manual commences. By the time the meetings are completed, a file structure has been developed, NARA schedules have been matched with the records and the manual is well underway.

A draft manual encompassing all the aforementioned information is presented to the unit chiefs and other

designated persons for their review. Upon the receipt of their comments, it is determined whether more individual meetings or clarification is needed and if not, the task of writing the final version incorporating all comments and changes is begun.

The final version of the manual covers everything from general records and records handling to the specific records of the unit and dispositioning of the records.

Implementation of the recommendations in the manual will provide the EPA Programs with a uniform records system for active, semi-active and inactive records; simplified filing instructions; faster retrieval of records; faster FOIA response time; better security for CBI or other sensitive records; and easier identification of records for records disposition. ■

Recordkeeping

requirements (legislation, policy, etc.), custodian and location of records, retention and disposition, file plan/organizational structure, guidance on drafts if different from Agency, guidance on files maintenance procedures and document lists as described above.

STEP VII: EVALUATE THE EFFECTIVENESS OF THE REQUIREMENTS

The Agency must determine whether the RR are actually resulting in the preservation of adequate and proper

documentation. As part of the Agency records management evaluation program the Agency should periodically review series and RR to ensure that adequate and proper documentation is being created and preserved.

As the NRMP identifies Agency functions that require recordkeeping requirements, the NRMP will contact programs for copies of file plans and other guidance used in creating the records. The timing of the project is to have the recordkeeping requirements

framework developed in time for implementation following the Agency-wide inventory. As products are developed, they will be shared with the records management network and comments incorporated. The first product, the overall project plan, is now available from Manker R. Harris at 202-260-5272 or on All-in-1 at Harris.Manker. Records officers interested in participating in the project should contact Mike Miller on 202-260-5911 or on All-in-1 at MILLER.MICHAEL-OIRM. ■

SUPERFUND DOCUMENT MANAGEMENT SYSTEM IN REGION 9

EPA Region 9 and OSWER Information Management are cooperating in the development and implementation of the Superfund Document Management System (SDMS). SDMS is an automated imaging/text/index system designed to meet Superfund site file documentation and records management needs.

All Regions face a number of problems related to managing Superfund site files. Even with high quality paper filing systems and electronic indexing, the quantity of paper is overwhelming. Documents can be lost or damaged. Sensitive documents are vulnerable to inadvertent disclosure. Documents that are needed can not always be found quickly. Multiple users cannot have simultaneous access to the same documents. Microfilm provides backup but is awkward to use and paper backup is expensive. Information sharing with responsible parties and the public is often cumbersome because multiple copies of important documents must be produced and disseminated to many parties.

SDMS relates each document's *Image* to its *Full Text* and *Index*. Users, including Remedial Project Managers, Enforcement Staff, Attorneys, and Records Management contract personnel, may search by any word in the text, any indexed field or a combination of the two. At the conclusion of the search the user may display the actual image and text of the

document, then import either or both from SDMS into a working document, such as WordPerfect.

SDMS operates over the Local Area Networks (LANs) with all documents accessible at every work station. SDMS stores hundreds of thousands of pages on a single 12 inch optical disk. Paper original pages can be sent off-site to a Federal Record Center. Duplicate optical disks can be stored off-site to provide a complete backup to meet Vital Records requirements. Sensitive documents in the system can be electronically redacted (blacked out) to allow only authorized access.

Since pages on optical disks can be readily converted to paper and has the potential to be converted easily to microfilm and CD ROM, we will be able to distribute the Administrative Record and/or Site Files to responsible parties, Public Repositories, or other "customers" based on their access capabilities including the "Information Super Highway."

In late June, Lisa Jenkins and various members of the SDMS team contract staff were here in Region 9 to install the first actual version of the application, load data converted from the old indexing system (ImageTrax) and conduct user training. Training was conducted for the users including Project Managers, Enforcement Staff, Attorneys, and Records Managers including contract personnel of LABAT-ANDERSON. Since then, we have been

going through the "discovering and dissolving the bugs" stage of implementation. But the application is coming together and every day both managers and staff see new ways to use the system for streamlining and improving our work processes. We hope the system will be fully operational in Region 9 in September, 1994.

If you have any questions on the Region 9 implementation of SDMS please call Margaret Morkowski in Region 9 at (415) 744-2364. If you are interested in exploring implementation of SDMS in your Region, please contact Lisa Jenkins of the OSWER Information Management Staff at (202) 260-7951 (All-In-One: Jenkins.Lisa or LanMail: LJenkins on DCSWERA). ■

TIP OF THE HAT

Joseph Clore is now the RCRA Records Manager in Region 2.



Welcome to Howard McCartney (contractor), the new Records Manager in Region 6; to Maria Korte (contractor), the new Records Center Manager in Region 7; Gail Snow (contractor) the new Records Manager in Region 8; and William Jennings Principal Contact, in OECA at Headquarters.

EPA RESPONDS TO NARA ON VITAL RECORDS

Unlike the proposed standards on electronic mail (see page 6), the National Archives and Records Administration (NARA) proposed regulations on vital records drew very little interest—much less than they should have, given their potential impact. If implemented, the proposed regulations would result in three major changes:

1. The emphasis of the vital records program would be changed to providing for protection against natural disasters as well as civil defense emergencies. EPA concurred with the intent of that change.
2. Agencies would be required to duplicate **all** vital records to ensure that such records would be given the special protection needed to prevent unauthorized loss or removal. EPA responded that such a requirement could prove to be very expensive. And duplication should be determined by the agency on a case-by-case basis.

3. The regulations on vital records would be broadened to require agencies to plan for the protection and recovery of **all** records effected by a disaster or emergency. While EPA agreed with the intent of that change, EPA felt that the program proposed by NARA was more elaborate than is necessary in many cases.

The Agency's comments centered on three points:

- In essence NARA is requiring two new programs complete with directives and training, without demonstrating that they are necessary for all agencies. EPA suggested that NARA require agencies to review their records management programs with respect to these issues, but allow agencies latitude on how to best address any problems identified. The specific procedures expressed in the proposed regulations would be better provided in a management guide of potential best practices to help agencies

comply with the requirements rather than making them requirements themselves.

- NARA's requirements for separate directives, programs, lead officers, etc., appear to represent a generic answer to all records management problems rather than a detailed understanding of the needs of Federal agencies in this area.
- NARA's requirement that all vital records relating to rights and interests of the government or its citizens be duplicated flies in the face of its own guidance that agencies analyze how best to protect their vital records. It is EPA's position that duplication is not cost effective in all cases. EPA also commented that the guidance on identifying vital records is vague and should be expanded.

The proposed regulations can be found in the Federal Register for Tuesday, May 31, 1994. If you would like a copy of the Agency's comments contact Manker R. Harris at 202-260-5272 or on All-In-1 at Harris.Manker. ■

THE IRM POLICY MANUAL IS NOW AVAILABLE ON VIDEOTEX

by Suzanne Annand, OIRM

The IRM Policy Manual, Directive 2100, is now available on Videotex. It can be found under the Policies and Procedures section of the Videotex menu on All-In-One electronic mail and on the Value-Added Backbone

Service (VABS). The Uniform Rulemaking Docket Policy is also available in the same section. So, next time you have to take a look at Chapter 10 and you can't find that hardcopy of the Manual, just type vtx

at All-In-One's electronic messaging menu and it's right at your fingertips.

You can also download or print sections of the documents by using the All-In-One scratch pad function. ■

EPA RESPONDS TO NARA'S PROPOSED E-MAIL STANDARDS

The standards for electronic mail (E-mail) proposed by the National Archives and Records Administration (NARA) were the most discussed regulations NARA has issued in years. EPA responded to NARA with nine

pages of specific comments drawn from those submitted by a number of Agency offices. Due to the high level of interest in this issue, we are including the text of the letter EPA sent to NARA concerning the proposed

regulations. For a copy of the nine pages of specific comments, contact Manker R. Harris (contractor), at 202-260-5272 or via All-In-1 at Harris.Manker.

James J. Hastings, Director
Records Appraisal and Disposition Division
National Archives at College Park
8601 Adelphi Road
College Park, MD 20740-6001

Dear Mr. Hastings:

Enclosed are the Environmental Protection Agency's (EPA) comments on the National Archives and Records Administration (NARA) proposed standards on electronic mail (E-mail). We are providing both general and specific comments on this document. I hope you will find them useful in revising the draft standards.

Like others in the Federal government, our Agency is learning to cope with the explosion of electronic records. We recognize clearly that electronic recordkeeping offers the promise of better documentation of Agency activities, better access to Agency information by the public, and improved control over our records. While we appreciate NARA's interest in electronic recordkeeping and look to NARA for guidance in records issues, we do not feel that the current draft standards are helpful in meeting the challenge of managing E-mail.

We have three main concerns that are detailed in the enclosure. The first is that the proposed standards in their present form are essentially unnecessary and often confusing. The portion that merits inclusion in Federal regulations offers nothing not already found in existing NARA regulations, except for the definition of what constitutes a complete E-mail record. We recommend that the proposed standards be rewritten to eliminate the obvious repetition and inconsistencies, and be distributed as one of NARA's highly useful instructional guides.

Second, having such a lengthy regulation covering just E-mail flies in the face of two basic principles of the reinventing government movement: "rowing" rather than "steering," and being "results oriented." I'll offer only two examples here:

- NARA's existing regulations speak to the need for an agency to create and maintain "adequate and proper documentation." It is the agency's responsibility to determine how to implement those regulations, and NARA's to evaluate how well the agency does it. It is also NARA's role to remind agencies that E-mail messages can meet the definition of a Federal record, and those that do so must be maintained as records. However, the draft regulation goes beyond that to discuss the details of how an agency could approach the problems posed by E-mail. We recommend that NARA provide suggestions on technical approaches to E-mail in guidance documents rather than in its regulations.
- In the case of monitoring E-mail messages, the regulations require establishing a regular process for checking whether messages have been properly deleted or saved by individual staff. We feel that, besides being burdensome and invasive, this requirement is not results-oriented. For NARA, the issue is not how individuals manage their E-mail, but whether the agency's records in all media are

sufficiently complete to provide adequate and proper documentation as required. Rather than focusing on how staff are managing their E-mail, we suggest that NARA provide agencies with better guidance on overall recordkeeping requirements for records in all media. This would assist agencies in evaluating whether or not there is need to monitor of E-mail messages or other records practices.

Third, there is the issue of burden and cost. Most obviously there is the cost of conversion to an *electronic recordkeeping system*. Although we are striving to maintain an increasing portion of our records electronically, we believe that it is not now cost effective to develop an electronic recordkeeping system just to handle E-mail. Rough estimates show that to make the many current E-mail systems across our agency even minimally compliant with the draft standards would cost over \$10 million, primarily for extra equipment on our local area networks. Where only 15 percent of our E-mail traffic constitutes Federal records that need to be kept for more than 90 days (our findings in a small test survey conducted by our records management staff), it is not cost effective to modify our E-mail systems to operate as recordkeeping systems.

There are other potential burdens as well. The draft regulation can be interpreted to require agencies to develop separate programs to train staff in managing E-mail records and to monitor E-mail use. This would be extremely costly, whereas it would be more useful to incorporate E-mail issues into our ongoing records management training and our internal evaluations of Agency records.

We offer the following four suggestions. NARA should:

1. Include a definition of E-mail records in NARA's regulations at 36 CFR 1234.2 (Electronic Records Management, Definitions). The definition should state that E-mail messages that qualify as Federal records must include sufficient transmission and receipt information to adequately document their use for current and future needs.
2. Revise the proposed standards and issue them as a part of NARA's highly successful instructional guide series.
3. Work with the General Services Administration, Federal agencies, and vendors to determine functional requirements for E-mail systems that will allow them to operate easily as recordkeeping systems. To actually contribute to improved recordkeeping, the software development initiative should address all types of documents, not just E-mail. This will take considerable time to develop, plus additional time to implement.
4. Establish a realistic timetable for overall implementation, based on Federal budget cycles.

Like NARA, EPA looks forward to the day when agencies can take advantage of existing and future technologies to better manage their records and provide greater internal and external access to Federal information. Agency-wide, we are committed to reducing our use of paper. Managing records electronically is one key way to do that. Currently, several EPA programs are investigating ways of maintaining their official records entirely electronically. These projects will help us define requirements and establish models for future implementation. Based on our experience to date on this issue, we feel the draft regulations will hurt, not help in making this transition.

If you have any questions about this response, please contact our Agency Records Officer, Michael Miller, on (202) 260-5911.

Sincerely

Jonathan Z. Cannon
Assistant Administrator

Enclosure

AUTOMATING RECORDS MANAGEMENT

Information supplied by Region 9
and reviewed by Lisa Jenkins, OSWER

OSWER is currently implementing two computer-aided tools to assist with referencing the new records disposition/retention schedules and records retired to the Federal Records Center (FRC).

One tool simply uses the WordPerfect 5.1 files of the new records schedules and makes them available to each OSWER Office Records Contact. The files are provided on two diskettes in PKZIP format so they must be PKUNZIPPED using a PKUNZIP file on the diskette before they can be used in WordPerfect. (This is a common practice for transferring large files). The Contact may then put the files on their own PC for their own reference, or on their Office LAN for "read only" access by Office staff and management. WordPerfect's basic full text "Find" function makes finding relevant schedules quick and easy. Although this does not represent a technological "feat," it is indispensable allowing the user to narrow in on applicable schedules without having to flip through 700 schedules in paper format.

The second tool is the OSWER SF135 Database. This database, accessible through InMagic 7.2

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HEADQUARTERS UPDATE

DEPARTMENT OF DEFENSE LOOKS AT ELECTRONIC RECORDS

The Department of Defense (DOD) is planning for the future of their records management program. They have developed a model for making the transition to primarily electronic recordkeeping by the year 2005. Among the steps they plan to take are several that are familiar to EPA: completely revise and consolidate the records schedules, develop more standard retention and disposition statements, and create an overall file plan. One area where DOD has moved well ahead of other agencies is in developing detailed recordkeeping requirements that all automated systems will have to meet. They have developed a list of 46 requirements, such as ability to delete records, ability to select records, and ability to store records throughout their life cycle. One thing that surprised the DOD research team was that there was document management software on the market now that would meet 43 of the 46 requirements. For a copy of selected portions of the report, contact Manker R. Harris at 202-260-5272 or on All-In-1 at Harris.Manker.

NARA AND MICROFORM

The Washington National Records Center which serves the Washington, DC metro area will start enforcing portions of their regulations concerning the transfer and inspection of permanent and unscheduled microform. A copy of the letter was sent to all Headquarters records officers. A copy can be obtained from Manker R. Harris at 202-260-5272 or on All-In-1 at Harris.Manker. Field offices should contact their records centers to inquire whether they will be enforcing these regulations as well.

INFORMATION SECURITY MANUAL CIRCULATED FOR COMMENT

A draft information security manual was circulated for comment by the Information Management and Services Division. The manual covers both automated and manual systems and provides guidance for developing plans for identifying and protecting sensitive information. For more information about the manual, contact Don McGinnis at (202) 260-8671.

DOCKETS TO ACCEPT ELECTRONIC COMMENTS

EPA is embarking on a pilot project to allow the public to comment on selected Agency proposed rules published in the Federal Register. The goals of the pilot, which will run until January, are to determine the feasibility of accepting electronic comments and develop procedures for doing so effectively. While public access to Agency information is the driving force, records

HEADQUARTERS UPDATE (CONT'D)

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management issues are a core concern. Mike Miller, Agency Records Officer, the members of the Headquarters Docket Work Group, and the Office of General Counsel are working with John Richards to develop the necessary procedures to ensure that electronic filing of comments does not affect the integrity of the dockets' records.

RECORDS SCHEDULE UPDATE

The NRMP has now sent all of the revised schedules in the new format to the appropriate SIRMOs for review. Programs are expected to review the draft schedules, make any changes necessary and propose new schedules for records that are currently unscheduled. As soon as responses are received from the programs, the NRMP will submit the schedules for Green Border review on a Program by Program basis.

AROUND THE RECORDS NETWORK

REGION 5

Lorraine Kos (contractor), reports that the Superfund records center has changed a number of filing procedures to include the use of more color coded filing techniques. Contract files which may cover more than one site have different colored folders for each site within the contract. In addition, sampling documents which are part of the Administrative Record are filed in green accordion files within the organized NPL files. And finally, green tape on folder tabs is used to distinguish emergency removal and enforcement files which are being integrated into the organized NPL site files. Use of these various color coding techniques makes finding specific types of files much easier and quicker.

AWBERG-GINGINNATI

AWBERC's Records Committee has reviewed its standard operation procedure on vital records to ensure it complies with agency policy. Records liaisons from each lab and administrative division are identifying and duplicating vital records within their areas. Duplicates will be sent to the Dayton Federal Records Center and an environmentally controlled off-site storage facility. The Dayton FRC does not accept electronic records so they, along with emergency operating records, will be sent to the commercial storage facility. Lists of the vital records will be sent to the Emergency Operations Center in Washington, D.C. via All-In-One.

software, provides a mechanism for storing, retrieving and printing information about the folder contents of boxes stored in the Federal Record Centers (FRCs). The system is used to capture and print out the official box content list which is sent with the SF-135 form when retiring records to the FRC. The same system is also used to determine the existence and location of records in the FRC in response to information requests and FRC Reference Requests (OF-11s).

At present, the database holds only those records retired by LABAT-ANDERSON, Inc. (LAI) staff providing support to OSWER through an OSWER-IM Delivery Order from 1992 to 1994. It is currently only accessible by OSWER-IM and the LAI staff. Plans are in the works, however, to include in the database other OSWER records that have been retired to the FRC. We are also looking into making the SF135 database accessible by other OSWER personnel (particularly in those offices already utilizing InMagic—OERR/ERD and OERR/HSCD) through the network of HQ LANs.

We welcome more examples of records management automation. Please send your ideas to Manker R. Harris (contractor), Network Coordinator, 3404, EPA National Records Management Program, 401 M Street, SW, Washington, DC 20460. E-mail: Harris.Manker; Telephone: (202) 260-5272. ■

TIPS FOR USING THE REVISED RECORDS DISPOSITION SCHEDULES

Now that all of EPA's records disposition schedules have been converted to the new schedule format and are moving through the approval process, we thought it would be helpful to share answers to some of the most often asked questions about using the schedules.

HOW DO I FIND THE SCHEDULE I NEED?

There are a number of finding aids available to help you find the specific schedule you need. Lists are available which have the schedules arranged by EPA series number, alphabetically by series name, by program, and by applicability (that is, agency-wide, headquarters, regions, labs, etc.).

If you have Inmagic software in your office, you can obtain a copy of the database and search for the appropriate schedule electronically.

Lists can also be obtained in WordPerfect format. Some contacts have found this to be very useful since they can add and delete or manipulate the information to meet their own needs.

Information on how to obtain these finding aids is given at the end of this article.

HOW ARE SCHEDULE NUMBERS ASSIGNED?

When schedules are submitted to the National Archives, they assign "job numbers" to each agency. EPA's assigned numbers begin with NC1-412

or N1-412. The next element of the number is the fiscal year. The last element consists of two numbers—the records schedule submission number and the item number. For example, NI-412-94-2/3 means: EPA, FY 94, submission number 2, item number 3.

Revised schedules submitted to NARA earlier this year were broken into 5 groups and assigned the following job numbers:

- N1-412-94-002 Agency-wide
- N1-412-94-003 Superfund program
- N1-412-94-004 Regions
- N1-412-94-005 RCRA program
- N1-412-94-006 Headquarters

Once the National Records Management Program (NRMP) receives the job numbers, item numbers can be assigned for each of the schedules within the groups. For example, EPA 006A—Program Management Records, became item no. 3 of group N1-412-94-002 or N1-412-94-2/3.

I'M FAMILIAR WITH THE OLD SCHEDULES. HOW CAN I FIND THE REPLACEMENTS IN THE REVISED SCHEDULES?

If you are familiar with the old schedule numbers, there is a cross reference list available from the NRMP which you can use to lead you from the old schedule number to the EPA series number and the revised schedule number.

In some cases, the approved schedule number remains the same since the disposition has not changed.

If the disposition has been changed and is yet to be submitted to NARA, the word "pending" will show up as the schedule number.

A number of revised schedules have been submitted to NARA and they have been assigned new schedule numbers. The prefix for these schedules is N1-412-94-. (Program management files, EPA series number 006A, for example, is N1-412-94-2/3.)

SINCE ALL THE SCHEDULES HAVE NOT BEEN APPROVED, WHICH ONES CAN I USE?

Once you have found the schedule you are looking for, check the section entitled "NARA Schedule No.". If "Pending" appears, you can not use the schedule until it has gone through the approval process and is assigned a new NARA schedule number.

If a GRS or N1 or NC1 number appears, you may use the schedule to retire or dispose of records *unless* the prefix is N1-412-94. In the latter case, you can only *retire* records to the Federal Records Centers (and not destroy them) since they have not received final approval.

WHAT DO I DO IF I CAN'T FIND THE SCHEDULE I NEED?

It is possible the records series you are looking for is identified by a different name *or* included in a different series

or does not have a schedule. Check with the NRMP.

HOW DO I INITIATE A NEW SCHEDULE OR UPDATE AN EXISTING ONE?

Contact your Records Liaison Officer or the NRMP. The NRMP has two documents which will help. One is a *Questionnaire for Updating the U.S. EPA Records Control Schedule* and the other is the *Guidelines for Completing the Records Control Schedule (SF 115)*.

WHY IS IT TAKING SO LONG TO GET THE SCHEDULES APPROVED?

Schedules which have had substantial changes must be approved by both the agency and the National Archives. This can be a lengthy process. To prepare the schedules for the agency's Green Border Review process, drafts are prepared and sent to the appropriate programs for approval. After program revisions are incorporated, the schedules are ready for Green Border.

In an effort to speed up the approval process, the schedules are submitted to the National Archives at the same time they are sent out for Green Border. Mike Miller, the Agency's Records Officer, also requests "an unscheduled exception" from NARA to use the pending schedules to retire records. That way, even if it takes some time to obtain approval, the agency can still retire records to the Federal Records Centers. Note, however, that we can *not* use them to destroy any records until final approval is received.

I'D LIKE TO INCLUDE EXCERPTS FROM THE SCHEDULES IN THE RECORDS MANUAL I'M PREPARING. ARE THE SCHEDULES AVAILABLE IN ELECTRONIC FORMAT?

Yes, the schedules are being maintained in WordPerfect and copies can be obtained through the NRMP.

Other electronic formats are being considered.

HOW CAN I PROVIDE ADDITIONAL INFORMATION TO PROGRAM STAFF ABOUT ONE OF THE RECORDS SERIES?

The "Program Office Guidance/ Descriptive Information" section of the schedule has been designed specifically so programs can include additional information to records users. This section could be used, for example, to identify custodians not covered in the Custodial Information section, special instructions, or other information useful to program staff.

Paper copies of the records schedules and finding aids can be obtained by contacting Manker R. Harris (contractor), at (202) 260-5272 or Harris.Manker on All-in-1. Contact Sandy York (contractor), at (303) 840-0464 or York.Sandy on All-in-1 for electronic copies or lists needed for specific purposes. ■

SOFTWARE, CONTINUED. . .

In the June issue we reported the installation of Versatile software in Regions 4 and 6. Versatile is software specifically designed for records management applications. There are a number of other offices where "generic" or multi-purpose software is used for records management. One example can be found on page 8 of this issue. Another example is at AWBERC in Cincinnati. Five different databases have been developed using dBase II Plus. The main database tracks all boxes located in their on-site storage area, others track boxes destroyed, boxes sent to the FRC, inventories of on-site storage, and box circulation. Databases can be linked on the box field. Plans include making the databases available on the LANs so staff can search online.

ASK DR. RECORDS

Q.

A while back you talked about planners and calendars and when they are records. Does everyone have to keep a calendar?

A.

Our research has not found any Federal or Agency directive that requires every employee to maintain a calendar. Whether employees have to create and maintain calendars is a records management issue only in one respect. Programs must have adequate and proper documentation of their activities. Given that requirement, managers must decide whether calendars are mandatory or optional for their staff.

Q.

In the new Agency file plan, the filing designation for controlled correspondence is CORR 141 and the one for general correspondence is CORR 127. We prefer GCOR 127 for general correspondence and CCOR 141 for controlled. Can we use those designations, or must we use the ones OIRM supplies?

A.

In the new draft Agency file plan distributed at the training sessions in May, the filing designation such as CORR 141 for controlled correspondence is made up of two segments. The number, 141 in this case, refers to the new Agency records disposition schedule for controlled correspondence. The CORR part is a four letter mnemonic prefix that is meant to help those filing remember what the numbers stand for. The number is mandatory and cannot be changed. We are suggesting a four letter prefix that we feel from an overall Agency standpoint makes the most sense, but they may not for some offices. Freedom of Information Act letters are given the prefix FOIA in the Agency plan, but some offices may consider it a type of correspondence and want to use CORR with the number 034. What four letter prefix you want to use is up to you, **provided** you use the correct number and you provide an overall file plan that identifies all of your filing designations.

Q.

The Federal Records Center requires that all boxes we send there be full. Yet in some cases, we may not generate enough records in a year to fill a box. What should we do?

A.

This is a very common problem, at EPA and elsewhere. The first piece of advice is to contact your local records officer or records center to see what that center's preferences are. Different ones take different approaches to resolving this problem. There are two basic approaches. Option 1: combine several small series with the same destruction date or date for transfer to the Archives in the same box. Option 2: hold the records in the office for a longer period of time until you have a full box. There may be others. If so, Dr. Records would love to hear about them. Filling the empty part of the box with newspapers doesn't count as a suggestion, however.



FOIA ISSUES FOR RECORDS MANAGERS

by Brook Sadler (contractor)



At the Records Management Council Meeting on June 28, 1994, Marlyne Lipfert who specializes in Freedom of Information Act (FOIA) issues in the Office of General Counsel (OGC), spoke about some FOIA concerns with relevance to records management. She used the meeting as an opportunity to both inform records managers of some of FOIA's procedural requirements and to elucidate through discussion the very particular ways in which FOIA issues are inherently connected to broader records management issues. EPA's FOIA records retention schedules follow the mandatory retentions specified by the National Archives and Records Administration (NARA) in the General Records Schedules (GRS).

Marlyne noted that it is important to remember that FOIA files are maintained by the calendar year rather

than the fiscal year. She explained the life cycle of a FOIA request beginning from the time it is logged in by the Freedom of Information (FOI) Office and stated that the Agency's records retention responsibilities begin at that point.

Each office that plays a part in the process of responding to the FOIA request has a role to play in the records retention process. For example, the FOI Office is responsible for maintaining the FOIA control files, the FOIA reports files, and the FOIA Administrative Files. Headquarters and Regional Program offices (also called action offices) are responsible for maintaining FOIA request files and the official file copy of the requested records. The Office of General Counsel or the Office of Regional Counsel, as appropriate, is responsible for maintaining the FOIA appeals files and FOIA litigation files.

Marlyne explained the procedures for responding to FOIA requests and pointed out areas where records management issues could play an important part. One such area is the nature and extent of the agency's search for responsive documents. For instance, if the office has a good records management system in place, the search method could possibly be as simple as reviewing indices of records maintained by that office to identify the files that might contain responsive records.

Mike Miller (ISMD) questioned the nature of search method when an office has no organized official files. Marlyne replied that if the responding office has no organized files, the person searching for responsive documents would have to search through all of the files to locate the responsive documents. When records responsive to a FOIA request have been retired to the Federal Records Center, it is necessary to get the records back from the Records Center to respond to the request. This is another area where a good records management system is important. If the records retired to the record center have been properly indexed, it is much easier to identify the specific boxes of records that will need to be recalled.

One last thing that record managers must always keep in mind is that the official file copy of the records at issue in a FOIA request, appeal or litigation should be disposed of in accordance with the approved Agency disposition instruction for the related records or with the related FOIA request, appeal or litigation retention schedule, whichever is later.

For your ease in reference, the EPA's FOIA Records Retention Schedules appear on pages 14-15. If you have any questions about records retention issues, please call Mike Miller at 260-5911. If you have FOIA questions, you can call Marlyne Lipfert at 260-5472 or Jeralene Green, the Agency FOI Officer, at 260-1050. ■

RECORDS RETENTION SCHEDULES

Freedom of Information files are maintained by calendar year, and should be retained in accordance with EPA's Records Control Schedules. The schedules below are maintained by the Information Management and Services Division.

1. AGENCY AND REGIONAL FOI OFFICES

a. FOIA Control Files.

Files maintained for control purposes in responding to requests, including registers and similar records listing date, nature, and purpose of request and name and address of requester.

1. Registers or listing.
(e.g., log)

Destroy 6 years after date of last entry.

2. Other files.

Destroy 6 years after final action by the Agency or after final adjudication by courts, whichever is later.

b. FOIA Reports Files.

Recurring reports and one time information requirements relating to the Agency implementation of the Freedom of Information Act, including annual reports to the Congress.

1. Annual reports at Departmental/Agency level.

Permanent. Offer to the National Archives and Records Administration (NARA) with related Agency records approved for permanent retention in Agency records control schedule or when 15 years old, whichever is sooner.

2. Other reports.

Destroy when 2 years old or sooner if no longer needed for administrative use.

c. FOIA Administrative Files.

Records relating to the general Agency implementation of FOIA, including notices, memoranda, routine correspondence, and related records.

Destroy when 2 years old or sooner if no longer needed for administrative use.

2. HEADQUARTERS AND REGIONAL PROGRAM OFFICES (ACTION OFFICES)

a. FOIA Requests files.

Files created in response to requests for information under the Freedom of Information Act consisting of the original request, a copy of the reply thereto, and all related supporting files which may include official file copy of requested record or copy thereof.

- 1) Correspondence and supporting documents
(Excluding the official file copy of the records requested if filed herein).

RECORDS RETENTION SCHEDULES (CONT'D)

- Granting access to all the requested records.

Destroy 2 years after date of reply.

- Responding to requests for nonexistent records; to requesters who provide inadequate descriptions; and to those who fail to pay agency reproduction fees.

- Request **not** appealed.

Destroy 2 years after date of reply.

- Request appealed.

Destroy 6 years after final determination by Agency or 3 years after final adjudication by courts, whichever is later.

- Denying access to all or part of the records requested.

- a. Request **not** appealed.

Destroy 6 years after date of reply.

- b. Request appealed.

Destroy 6 years after final determination by Agency or 3 years after final adjudication by courts, whichever is later.

2) Official file copy of requested records.

Dispose of in accordance with approved Agency disposition instruction for the related records, or with the related FOIA requests, whichever is later.

3. OFFICE OF GENERAL COUNSEL (OFFICE OF REGIONAL COUNSEL)*

a. FOIA Appeals Files.

Files created in responding to administrative appeals under the FOIA for release of information denied by the Agency, consisting of the appellant's letter, a copy of the reply thereto, and related supporting documents, which may include the official file copy of records under appeal or copy thereof.

- 1) Correspondence and supporting documents (**Excluding** the file copy of the records under appeal if filed herein).

Destroy 6 years after final determination by Agency or 3 years after final adjudication by courts, whichever is later.

- 2) Official file copy of records under appeal.

Dispose of in accordance with approved Agency disposition instruction for the related record, or with the related FOIA requests, whichever is later.

- * FOIA appeals arising out of a *regional* denial under 40 CFR 2.204(d)(1) are transferred by the Office of General Counsel to the Office of Regional Counsel. The Regional Counsel's final confidentiality determination serves as the Agency's determination on the appeal.



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