Issued by the EPA Chief Information Officer,
Pursuant to Delegation 1-19, dated 07/07/2005

Records Management Policy

1. PURPOSE

- To advance a focus on overall records management responsibilities under the Federal Records Act (FRA), as amended, and other applicable authorities

- To confirm and align principles, responsibilities and requirements for managing the Environmental Protection Agency's (EPA's) records to ensure that the Agency is in compliance with federal laws and regulations; EPA policies; and best practices for managing records

- To provide the framework for specific guidance and detailed operating procedures governing records management

2. SCOPE

This policy addresses all records, regardless of format or medium, made or received by EPA personnel under federal law or in connection with the transaction of public business, and preserved or appropriate for preservation as evidence of EPA functions, organization and activities or because of the value of the information they contain. This policy applies to all EPA headquarters, regional, laboratory and other organizations.

3. AUDIENCE

The audience for this policy includes all EPA organizations, officials, and employees; those who oversee contractors and grantees; and non-EPA employees who manage Agency records, as appropriate.

4. BACKGROUND

The FRA, as amended, requires all federal agencies to make and preserve records containing adequate and proper documentation of their organization, function, policies, decisions, procedures and essential transactions. These federal records are public property and must be managed according to applicable laws and regulations.

The FRA also requires agencies to establish a records management program, defined as a planned, coordinated set of policies, procedures, and activities needed to manage their recorded information. Major elements include periodically issuing up-to-date records management directives and properly training those responsible for implementation. To ensure adequacy, effectiveness and efficiency of records management (RM) programs, Agencies must measure and evaluate results.

Records serve a number of purposes including: planning for administrative and program needs, providing evidence of EPA activities, protecting legal and financial rights, enabling oversight by Congress and other authorized agencies, documenting the Agency's history, and continuing key functions and activities in the event of an emergency or disaster. Proper Records Management ensures the capture of the Agency's institutional memory and preserves historical records; records are of critical importance in ensuring that the organization continues to function effectively and efficiently. In conformance with the Presidential Memorandum, *Managing Government Records*, November 28, 2011, and NARA and OMB Memorandum M-19-21, *Transition to Electronic Records*, June 28, 2019, the Agency must meet the executive branch-wide effort to reform records management policies and practices and transition to electronic records management. The results will promote openness, efficiency and accountability by documenting agency actions and decisions in more accessible electronic formats.

5. AUTHORITY

This information directive is issued by the EPA Chief Information Officer, pursuant to Delegation 1-19, dated 07/07/2005.

Additional legal foundations for the policy include:

- 44 U.S.C. Chapter 31 – Records Management by Federal Agencies (Federal Records Act)

- 44 U.S.C. Chapter 33 – Disposal of Records

- 44 U.S.C. Chapter 35 – Coordination of Federal Information Policy (Paperwork Reduction Act of 1980, as amended, Paperwork Reduction Reauthorization Act of 1995, and Government Paperwork Elimination Act)

- Presidential and Federal Records Act Amendments of 2014, Public Law 113-187

- 36 C.F.R. Chapter XII, Subchapter B – Records Management OMB Circular No. A-123, "Management's Responsibility for Internal Control," December 21, 2004

- OMB Circular A-130, "Managing Federal Information as a Strategic Resource," July 28, 2016

- U.S. EPA Order 2040.1 A1, "National Security Emergency Preparedness Policy," February 6, 2001

- U.S. EPA Order 2030.1A, "Continuity of Operations (COOP) Policy," April 27, 2005

- Federal Emergency Management Agency (FEMA) Federal Preparedness Circular 65, "Federal Executive Branch Continuity of Operations (COOP)", July 26, 1999

- Presidential Memorandum, "Managing Government Records," November 28, 2011

- OMB/NARA Memorandum M-14-16, "Guidance on Managing Email" September 15, 2014, https://www.archives.gov/files/records-mgmt/m-14-16.pdf

- NARA Bulletin 2014-02, "Guidance on Managing Email", September 15, 2014 https://www.archives.gov/records-mgmt/bulletins/2014/2014-06.html

- OMB/NARA Memorandum M-19-21, "Transition to Electronic Records Directive", June 28, 2019

6. POLICY

6.1 EPA's Responsibility and Commitment

As a regulatory agency charged with protecting human health and the environment, the EPA is committed to managing the Agency's records properly to comply with legal requirements and to support the Agency's mission. Records identification, management and access are essential in allowing the Agency to meet its mission. The consistent management of records throughout their lifecycle provides the cornerstone to the effective and transparent operation of the Agency. EPA is required to preserve Agency records in accordance with applicable statutory and regulatory requirements and to facilitate access to information by EPA staff, partners, stakeholders and the public, as appropriate.

The Records Management Policy establishes specific requirements to effectively and efficiently identify, manage, search, retrieve, provide access to, and maintain records throughout their life cycle.

6.2 Implementation of a Records Management Program

Each Program Office and Region within EPA must establish and maintain a records management program with the following minimum requirements:

1. Assign a Records Liaison Officer (RLO) to provide records management guidance and support to staff and to serve as a liaison with the National Records Management Program (NRMP).

2. Create, receive and maintain records providing adequate and proper documentation and evidence of EPA's activities and decisions

3. Manage records in any format (e.g., paper, emails, IMs, text messages, electronic documents, spreadsheets, presentations, images, maps, videos, blogs and other social media tools that generate communications) in accordance with applicable statutes, regulations, and EPA policy and guidance, including records schedules.

4. Maintain electronic records (e.g., IMs, text messages, electronic documents, spreadsheets, presentations, images, maps, videos, blogs and other social media tools that generate communications) electronically in an approved electronic records system, such as ECMS. Email records can be managed

in EPA's email system (e.g., Outlook) unless the email record must be retained for longer than 10 years. Most emails do not need to be retained for longer than 10 years. Emails that must be retained for longer than 10 years must also be saved to the ECMS using EZ Email tool. See list of records that must be kept for longer than 10 years here: https://usepa.sharepoint.com/sites/oei/ermd/nrmp/SitePages/capstone/files/retention-matrix-10+-years-only.pdf

5. Transfer or migrate records in paper and legacy electronic systems to approved or registered information management systems which are associated with a records schedule for manual management of disposition where practicable and when available. The Registry of Environmental Applications and Databases (READ) should capture information on systems which have a records schedule and require manual disposition.

6. Ensure that non-electronic records are managed appropriately in paper-based recordkeeping systems which facilitates their preservation, retrieval, use, storage and disposition, if they are not appropriate for digitization.

7. Maintain records so they can be accessed for appropriate business reasons by staff who have a need to know the information, and kept for the required retention period.

8. Secure records to protect the legal and financial rights of the government and persons affected by government activities.

9. Implement a plan to protect essential (vital) records and assess damage to and recover any records affected by an emergency or disaster (e.g., financial, legal and emergency operating records).

10. Ensure that instructions for the management and disposition of records as specified in the approved records schedules are followed.

6.3 What is a Record?

Records document the Agency's business and can be found in all media such as paper, email, instant messaging (IM), text messages, telephone messages, voice mail messages, presentations, websites, social media (e.g., Facebook, Twitter, etc.), word processing documents, spreadsheets and other information systems. Documented substantive decisions and commitments reached orally (e.g., person-to-person, telecommunications, in online/web conference) also constitute records. If federal records are created using any of these media, they need to be transferred to the Agency's ECMS or another approved electronic records management system.

Email records can be managed in EPA's email system (e.g. Outlook) unless the email record must be retained for longer than 10 years. Most emails do not need to be retained for longer than 10 years. Emails that must be retained for longer than 10 years must also be saved to the ECMS using EZ Email. See list of records that must be kept for longer than 10 years here:

https://usepa.sharepoint.com/sites/oei/ermd/nrmp/SitePages/capstone/files/retention-matrix-10+-years-only.pdf

Some drafts, working papers/files, and supporting information documenting substantive programmatic, administrative, legal, historical, and mission-related activities should be maintained as records because they document important Agency decision-making processes. The Agency must retain records such as correspondence, presentations, meeting minutes, telephone logs, data, spreadsheets, working papers, reports, drafts, annotations and other notes that are needed to document the rationale and relevant supporting data for important final Agency decisions.

Some records are transitory in nature, which means they are of short-term (180 days or less) interest and have minimal or no documentary or evidential value, such as an individual's rough notes, interim calculations, spreadsheets, presentations and analyses that are not directly or substantively incorporated into final products or decisions. Transitory records are not required to meet legal or fiscal obligations, or to initiate, sustain, evaluate, or provide evidence of decision-making. Transitory records may include, but are not limited to, messages coordinating schedules, appointments, and events, transmittal documents, received copies of circulated internal information such as agency-wide notifications or "email blasts," messages received from agency distribution lists, and to-do or task lists.

Some records are of an intermediary nature, meaning that they are created or used in the process of creating a subsequent record. To qualify as an intermediary record, the record must also not be required to meet legal or fiscal obligations, or to initiate, sustain, evaluate, or provide evidence of decision-making. Such records include non-substantive working files, audio and video recordings of meetings that have been fully transcribed; input or source records, which agencies create in the routine process of creating, maintaining, updating, or using electronic information systems; ad hoc reports; and data files output from electronic systems, created for the purpose of information sharing or reference. Note: See NARA General Records Schedule (GRS) 5.2 for more information about Transitory and Intermediary Records.

Not all information created or received constitutes a record. Non-records include extra copies of documents preserved only for convenience of reference; stocks of publications and process documents; library and museum material made or acquired and preserved solely for reference or exhibition purposes.

Personal papers are materials belonging to an individual that are not used to conduct Agency business. This information is related to an individual's own affairs or used exclusively for the individual's convenience. This information must be clearly designated as such and managed separately from the Agency's records.

6.4 Creating and Receiving Records

The FRA requires every federal agency to "make and preserve records containing adequate and proper documentation of the organization, functions, policies, decisions, procedures, and essential transactions of the agency and designed to furnish the information necessary to protect the legal and financial rights of the Government and of persons directly affected by the agency's activities." Records contain the information that

documents how EPA carries out its mission. The Agency's past and current work generates records. Records typically include information that is:

- Created in the course of conducting Agency business;
- Received for action;
- Needed to document EPA activities and decisions;
- Required to support EPA's financial and other obligations and legal claims; or
- Communicated to assert EPA requirements or guidance.

EPA must properly and adequately document Agency business in accordance with the FRA and NARA regulations. To meet these obligations, EPA employees and non-employees who manage records must create and maintain records that:

- Document the persons, places, things or matters dealt with by the EPA;
- Facilitate action by EPA officials and their successors in office;
- Make possible a proper scrutiny by the Congress or other duly authorized agencies of the Government;
- Protect the financial, legal and other rights of the Government and of persons directly affected by the Government's actions;
- Document the formulation and execution of policies and decisions and the taking of necessary actions, including all substantive decisions and commitments reached orally (person-to-person, by telecommunications, or in conference) or electronically; and
- Document significant board, committee or staff meetings.

All EPA personnel generate and receive records and are legally required to preserve them in accordance with the appropriate records schedule.

6.5 Creating Records on Agency Systems

Official Agency business should first and foremost be done on official EPA information systems. EPA strongly discourages the use of personal email or other personal electronic messaging systems, including text messaging or third-party messaging applications on a personal mobile device for sending or receiving Agency records.

It is important not to use non-EPA systems to conduct Agency business, since such use could potentially lead to the mismanagement of Agency records and/or the unauthorized disclosure of Agency information.

The FRA prohibits the creation or transmission of a federal record using a non-EPA electronic messaging account unless the individual creating or sending the record either: (1) copies their EPA email account at the time of initial creation or transmission of the record, or (2) forwards a complete copy of the record to their EPA email account within 20 days of the original creation or transmission of the record. These FRA requirements are designed to ensure that any use of a non-EPA information system does not affect the preservation of federal records for FRA purposes, or the ability to identify and process those records if requested under the Freedom of Information Act (FOIA), Privacy Act or for other official business (e.g., litigation, congressional oversight requests, etc.).

Additionally, EPA discourages the use of text messaging on an EPA-issued mobile device for sending or receiving substantive (or non-transitory) Agency records.

EPA recognizes that some Agency staff perform time-sensitive work that may, at times, require the creation of substantive (or non-transitory) records in the form of text messages for emergency or environmental notification purposes. In those limited instances, staff must continue to save and manage any text message records related to their work, by sending a copy to their EPA email account at the time of transmission or forwarding that record to their EPA email account within 20 days of creation or transmission. Guidance for how to forward a text message to your Agency email account is available at http://intranet.epa.gov/mobiledevices/pdf/Instructions-Saving-Text-Messages.pdf

6.6 Managing Electronic Records

Records are maintained for the benefit of EPA and its staff, partners, stakeholders and the public. EPA is committed to maintaining and converting its records to electronic formats, where practical, to facilitate transitioning from paper records management towards more effective and efficient electronic solutions. Non-transitory records should be stored in approved records management systems with records management capabilities, such as the ECMS or registered information management systems associated with an approved records schedule. Such systems must be approved by the National Records Management Program.

EPA uses the Capstone approach to manage all email records. Under Capstone, the Agency assigns a retention period based on user roles which are broken down into two categories: Capstone Officials and non-Capstone employees. Following a 90-day culling period, Capstone Officials' emails are saved permanently, and Non-Capstone employees' emails are saved for 10 years. The 90-day culling period allows all employees to cull personal emails not related to EPA business, non-record emails, and transitory email records within 90 days from the date the email was received or sent. Non-Capstone employees are also responsible for saving all email records with a retention period longer than 10 years to the ECMS with EZ Email. For more information about Capstone please visit:
https://usepa.sharepoint.com/sites/oei/ermd/nrmp/SitePages/capstone/capstone.aspx

The EZ Desktop Records Application enables users to save their records from local storage (computer hard drives, network shared drives) to the ECMS records repository in one step. It is integrated directly into the Windows desktop. EPA encourages the use of EZ Desktop for capturing and saving desktop records into ECMS. For more information about EZ Desktop please visit:
https://usepa.sharepoint.com/sites/oei/ermd/ECMS/SitePages/EZ-Desktop-Records.aspx.

Once the message is sent or forwarded to the EPA messaging system, you must save the record in an approved EPA electronic records management system and the copy in the non-EPA system should be removed, unless there is a specific obligation (such as a litigation hold) to maintain the files on all systems on which they appear.

Similarly, users of text messaging, instant messaging or other transient messaging

technologies on EPA information systems are responsible for ensuring that messages that result in the creation of substantive (or non-transitory) federal records are saved and placed in a recordkeeping system. When forwarding a text message from a mobile device to the EPA email system be sure to include the time, date, subject, and sender/recipient of the message whenever possible. Guidance on how to email a text message from a mobile device to yourself is available at https://intranet.epa.gov/otop/mobiledevices/pdf/How-to-Save-Text-Messages-QRG-v3.pdf

6.7 Managing Permanent Electronic Records

In order to properly manage permanent electronic records, EPA must:

1. Include records management implications in agency information resource management strategic plans.
2. EPA must maintain control over permanent electronic records so that the Agency can create, capture, manage, preserve, and transfer them to NARA in acceptable electronic formats.
3. Incorporate records management requirements throughout the systems' development process. As a result, the agency's systems and business processes must support the management of permanent electronic records over time in accordance with all applicable requirements.
4. Consult Records Management staff in the Systems Development Life cycle and Capital Planning and Investment Control processes to ensure permanent electronic records are appropriately identified and scheduled.
5. Protect permanent electronic records against unauthorized access, use, alteration, alienation, or deletion; and ensure they are searchable, retrievable, and usable for as long as they are maintained in agency custody. The retention periods for some permanent records may span several decades to support an agency's continuing business needs for the records before they are transferred to NARA's physical and legal custody.
6. Follow and strictly adhere to NARA approved records schedules and transfer permanent electronic records to NARA in acceptable formats and with the appropriate metadata.

6.8 Access to Records

EPA records must be maintained in an appropriate manner, captured and organized to ensure timely search and retrieval for internal Agency use, as well as for responses to outside inquiries. Sensitive records (e.g., sensitive personally identifiable information (SPII), and other Controlled Unclassified Information (CUI)) must be maintained with restricted access in accordance with statutory and regulatory requirements. For more information about CUI, please visit https://www.epa.gov/irmpoli8/interim-controlled-unclassified-information-cui-policy

6.9 Records Safeguards and Unauthorized Destruction

In accordance with 44 U.S.C. Chapter 31, § 3105, EPA must safeguard records while in the custody of the agency. The agency must ensure that records are not alienated or destroyed except in accordance with sections 44 U.S.C. Chapter 31, § 3301-3314.

The penalties for the willful and unlawful removal, defacing, alteration, or destruction of Federal records, or the attempt to do so, include a fine, imprisonment, or both (18 U.S.C. 641 and 2071).

Federal Agencies are required to notify the Archivist of any Unauthorized Destruction. An Unauthorized Destruction is the actual, impending, or threatened unlawful removal, defacing, alteration, corruption, deletion, erasure, or other destruction of records in the custody of the agency. Unauthorized Destruction occurs when records are destroyed before the end of the retention period set forth in an approved records schedule.

All Agency personnel or contractors working with Agency records on Agency systems should follow the instructions in the RM Alert at: https://usepa.sharepoint.com/sites/oei/ermd/nrmp/SitePages/loop/2020/2020-07.aspx#alert-reminder-how-to-report-unauthorized-destruction-of-epa-records report any actual or potential Unauthorized Destruction of records to the appropriate Records Liaison Officer, who will provide a report to the Agency Records Officer (ARO). The ARO will coordinate with the Office of General Counsel (OGC) as appropriate. When an actual unauthorized destruction occurs, the ARO will submit a report to the Chief Records Officer of the U.S. at NARA, as required by 44 U.S.C. 2905 & 3106 and 36 CFR 1230.14.

The report of Unauthorized Destruction must include:

- a complete description of the records (including all media e.g. CDs, systems, other media)
- the volume of the records destroyed
- the office of origin
- an explanation of the circumstances involving the unauthorized destruction
- a description of actions taken to salvage, retrieve or reconstruct the records; and
- a statement of safeguards taken to prevent future losses

7.   ROLES AND RESPONSIBILITIES

Administrator

The EPA Administrator is responsible for creating and preserving records that adequately and properly document the organization, functions, policies, decisions, procedures and essential transactions of EPA. This responsibility is delegated to the Deputy Assistant Administrator (DAA) for Environmental Information (EI) and Chief Information Officer (CIO), Office of Mission Support (OMS). As mandated by the Presidential Memorandum of November 28, 2011, the Administrator is also responsible for designating a Senior Agency Official for Records Management (SAORM) at the Assistant Secretary level or its equivalent who has direct responsibility for ensuring that the Agency efficiently and appropriately complies with all applicable records management statutes, regulations, and NARA policy, including requirements of the OMB/NARA Directive of August 24, 2012 – Managing Government Records and the OMB/NARA Memorandum of June 28, 2019, M-19-21, Transition to Electronic Records. The Administrator has designated the OMS-EI DAA/CIO as the SAORM.

Office of Mission Support - Environmental Information (OMS-EI)

OMS-EI is responsible for leadership, planning, overall policy, guidance and general oversight of records management in the Agency, and its incorporation into the broader information resources management framework. OMS-EI is responsible for the following:

1. Incorporating records management requirements and policies into the Agency's overall information resources management (IRM) policy and planning.

2. Carrying out the duties of the Senior Agency Official for Records Management (SAORM), who is responsible for:

   • Acting on behalf of the agency head to ensure the agency efficiently and appropriately complies with all applicable records management statutes, regulations, NARA policy, and OMB policy

   • Bridging the gap between the agency head and the Agency Records Officer in order to provide strategic direction for the agency's records management program

   • Promoting effective records management at a senior level by seeing across program offices in the deployment of individual IT systems

   • Advocating for the records management program ensuring adequate resources are embedded into the agency's Strategic Information Resources Management (IRM) Plan

   • Working directly, and regularly, with the ARO and other appropriate officials to oversee the successful implementation of the agency's records management program

   • Coordinating the agency's records management program with other related disciplines such as information security, risk management, data management, and knowledge management. This may also include programs related to discovery, privacy, and the Freedom of Information Act (FOIA)

3. Designating an Agency Records Officer responsible for:

   • Leading and managing the Agency-wide National Records Management Program

   • Ensuring Agency senior officials are aware of their programmatic and individual records management responsibilities and requirements

   • Advising EPA on records management issues and developing Agency-wide records management policies, procedures, guidance, and training materials

Records Management Policy

Directive No: CIO 2155.5

- Coordinating the approval of the Agency's records schedules and the transfer of records to NARA

- Coordinating records management issues with other federal agencies, including federal oversight agencies such as the Office of Management and Budget (OMB), NARA, and the General Services Administration (GSA)

- Providing technical advice and training to all Agency organizations on establishing and maintaining effective records management programs

- Evaluating recordkeeping practices to determine the effectiveness of the program

- Obtaining NARA's Agency Records Officer Credential (AROC) Certificate in Federal Records Management

4. Promulgating and communicating Agency-wide policies and guidance that reflect records management missions and goals and incorporate federal requirements.

5. Designating other records management staff as required by regulations or as deemed necessary.

6. Assigning overall responsibility for the records management aspects of centrally provided information technology infrastructure, including local area network applications.

7. Ensuring senior Agency officials are aware of their records management responsibilities.

8. Conducting periodic evaluations of records management programs within the Agency as part of the Agency's IRM review and oversight program.

Assistant Administrators, Chief Financial Officer, General Counsel and Regional Counsel, Inspector General, Regional Administrators and Laboratory/Center/Office Directors

Assistant Administrators, Chief Financial Officer, General Counsel and Regional Counsel, Inspector General, Regional Administrators and Laboratory/Center/Office Directors are responsible for the following:

1. Advocating for records management in their organization.

2. Demonstrating the importance of records management and ensuring their organization is aware of the importance of and processes for managing records.

3. Demonstrating their commitment to the proper management of records in their organization through appropriate means (e.g., sending out messages, being

present during days devoted to records management, encouraging managers and staff to take records training).

4. Designating a Records Liaison Officer (RLO) accountable to the Information Management Official (IMO) or other official designated to oversee the program. The IMO or other official designated to oversee the program reports to the Assistant Administrators, Chief Financial Officer, General Counsel, Inspector General, Regional Administrators and Laboratory/Center/Office Directors on a quarterly basis.

5. Ensuring the RLO has adequate skills, resources, time and appropriate authority to perform the job.

6. Overseeing the implementation of a records management program within their area of responsibility to accomplish the objectives identified in federal regulations and EPA policies and procedures. Minimum program components include responsibilities for:

   • Identifying recordkeeping requirements for major programmatic and administrative records.

   • Ensuring that records are identified, proper records schedules are assigned, and the records are properly stored.

   • Developing file plans and indexing approaches where appropriate to simplify the use of, access to, and integration of information within the organization.

   • Drafting and updating records schedules for records created and maintained by the organization.

   • Implementing approved records schedules to ensure records are not destroyed without proper authorization.

   • Reviewing file plans and procedures at least every three years to ensure they are current and updating them as necessary.

   • Assisting in planning and implementing information management technology and reviewing the purchase of records management equipment and services to ensure they conform to federal statutory and regulatory requirements.

   • Implementing an essential records plan to ensure the continuation of key functions and activities in the event of an emergency or disaster.

   • Providing records management briefings for all managers and training to staff within their organizations, as needed.

   • Actively supporting managers, RLOs, staff and others in carrying out their records management responsibilities.

7. Developing records management oversight roles and communication networks with all program units including field offices and other facilities, as appropriate, to ensure that the records management program is implemented at all sites under their jurisdiction.

8. Developing and disseminating directives and operating procedures, as needed, to supplement Agency-wide policy to meet the unique records management needs of their organizations and to support a records management program within the organization.

9. Ensuring records and other types of required documentary materials are not unlawfully removed from EPA by current or departing officials, employees, or agents.

General Counsel and Regional Counsel

1. The General Counsel and Regional Counsel provide legal advice and counseling on records management issues as well as assist in determining the retention of Agency records that may be needed for legal purposes.

Inspector General

The Inspector General assists in determining the retention of Agency records that may be needed for internal investigation and audit purposes.

Managers and Supervisors

Managers and supervisors (Office Directors, Division Directors, Branch Chiefs, etc.) are responsible for:

1. Ensuring that a records management program is implemented within their organization.

2. Understanding and emphasizing the importance of records management to staff.

3. Designating selected staff as records contacts, to the Division level, at a minimum, in order to meet recordkeeping requirements and responsibilities as described in this document.

4. Providing support, time, and resources for records contacts to successfully carry out their recordkeeping responsibilities.

5. Ensuring that the organization's file plans are current.

6. Obtaining training so that they and their staff can carry out their recordkeeping responsibilities.

7. Implementing an essential records program within the organization.

8. Participating in records program reviews and assessments and developing and implementing corrective action plans to address gaps.

9. Supporting initiatives to move from paper to electronic recordkeeping.

10. Ensuring that all records of separating employees have been identified that temporary records that have met their retention are properly disposed of according to applicable records schedules, and that records that must be preserved have been assigned to other employees.

Program Office/Headquarters, Regional, Laboratory/Center/Office Records Liaison Officers (RLO)

Program Office/Headquarters, Regional, Laboratory/Center/Office RLOs are responsible for:

1. Creating and updating procedures for their offices in accordance with established EPA and program policies.

2. Performing evaluations of their records management and essential records program.

3. Developing file plans and procedures so records are organized and can be found when needed.

4. Assisting with disposition activities, including retirement of inactive records, transfer of permanent records to NARA, and destruction in accordance with approved records schedules.

5. Reviewing office-specific records schedules annually to ensure they are current and initiating changes, when needed.

6. Ensuring sensitive records are protected in accordance with federal and EPA requirements, and making sure designated individuals maintain access lists to ensure such information is released only to authorized individuals.

7. Coordinating the identification and maintenance of essential records and submitting an annual inventory and certification of essential records through senior management to the Agency Records Officer.

8. Reviewing and verifying their organizations' section of the Federal Records Centers invoices on a monthly basis verifying the status of their off-site records and costs.

9. Conducting briefings and training sessions on the records management program.

10. Reviewing and recommending requests for records management equipment, services and supplies.

11. Completing Records Management Training for RLOs and Records Contacts when it becomes available.

12. Organizing, maintaining and training a network of records contacts within the organization.

13. Assisting with offboarding of staff and completion of EPA Records Management Checklist for Separating/Transferring or Separated Personnel, Form 3110-49.

14. If unauthorized destruction is suspected or has occurred, the RLO must complete the Unauthorized Records Incident Report and the Unauthorized Destruction Letter, both of which can be found on NRMP's website. The Agency Records Officer is responsible for sending the final report to NARA.

Records Contacts

Records contacts are responsible for:

1. Working within their organization as a liaison between the RLO and staff to provide records management training, guidance and support.

2. Being qualified and active in records management issues and participating in records management training when resources are available.

3. Creating file plans specific to their organization.

4. Completing Records Management Training for RLOs and Records Contacts when it becomes available.

Information Resources and System Managers

Information Resources and System Managers are responsible for:

1. Working with the local RLO, the Agency Records Officer and NARA to establish and update records schedules for electronic systems.

2. Implementing proper recordkeeping procedures for existing information systems and ensuring recordkeeping requirements are included in proposed systems.

3. Ensuring that information systems intended to carry out electronic records management comply with NARA's and EPA's requirements for electronic recordkeeping systems (these requirements are available on the NRMP SharePoint site at https://usepa.sharepoint.com/sites/oei/ermd/nrmp.

4. Maintaining electronic information systems in accordance with approved records schedules and NARA requirements.

5. Working with their RLO to transfer permanent systems to the National Archives in accordance with approved records schedules and NARA requirements.

6. Ensuring that EPA Internet and Intranet postings containing records are maintained in accordance with Agency recordkeeping requirements.

7. Ensuring that prior approval is obtained before the removal of Sensitive Personally Identifiable Information (SPII) ~~and or other CUI categories~~ from the Agency network or facility.

8. Coordinating the handling of electronic records and information with the local RLO/records management program and legal office when appropriate.

Project Officers (PO) / Contracting Officer Representatives (COR) and Senior Environmental Employment (SEE) Program Coordinators/Monitors

Project Officers (PO) / Contracting Officer Representatives (CORs) and Senior Environmental Employment (SEE) program coordinators/monitors are responsible for:

1. Creating and maintaining appropriate records of the management and oversight of their related projects, contracts, staff and SEE employees.

Continuity of Operations Program (COOP) Planners

Continuity of Operations Program (COOP) planners are responsible for:

1. Working with records management staff to implement the essential records plan to ensure the continuation of designated COOP essential functions.

2. Ensuring that essential records are accessible from designated COOP locations.

All EPA Employees

All EPA employees are responsible for:

1. Creating and managing the records necessary to document the Agency's official activities and actions, including those records generated by EPA contractors and grantees, in accordance with EPA records management requirements.

2. Saving records in the Enterprise Content Management System or other approved system.

3. Destroying records only in accordance with approved records schedules and never removing records from EPA without authorization.

4. Filing records for safe storage and efficient retrieval and maintaining and disposing of personal papers and non-record materials separately from records.

5. Ensuring that when email accounts are created for business reasons, the records thus created are appropriately managed.

6. Identifying all records, in any format, in the employee's possession, and transferring them to another EPA custodian before separating or transferring to another organization. Note: Non-records and records which have met their disposition per appropriate records schedule should be destroyed unless subject to FOIA, litigation or audit. Records containing SPII must be shredded.

7. Taking annual records management training and any other related training and participating in records management activities such as records management days, records clean-up days.

8. Ensuring that contractors, grantees and others doing work on behalf of EPA are required to take annual records management training, as appropriate.

8. RELATED INFORMATION

EPA National Records Management Program SharePoint site
https://usepa.sharepoint.com/sites/oei/ermd/nrmp

EPA's current CUI Policy https://www.epa.gov/irmpoli8/interim-controlled-unclassified-information-cui-policy

EPA website: "Frequent Questions about Email and Records"
https://usepa.sharepoint.com/sites/oei/ermd/nrmp/SitePages/faqs/email.aspx

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9.   **DEFINITIONS**

Universal Electronic Records Management (ERM) Requirements

NARA has provided guidance on the requirements for managing electronic records. The framework of the ERM requirements was derived from existing statutes, standards, NARA regulations, policy, and guidance.

The guidance includes the following sections and is based on the lifecycle of records management:

Approved Records Management System: An agency records management application approved for storing electronic federal records, including applications certified as compliant with the DOD 5015.2-STD standard or meeting the NARA requirements and standards for a records management application. Examples include EPA's Correspondence Management System and People Plus.

Authorized Federal Information Management System: A major information system managed by a federal agency which is used by other federal agencies. Records in these systems are managed by the agency owning the system. Examples include Concur, Employee Express and eOPF.

Capstone: The Capstone General Records Schedule (GRS) provides for the permanent retention of email records of users designated as Capstone officials. Capstone officials are senior officials generally responsible for agency and program policy- and mission-related actions that have been identified by EPA and approved by NARA. EPA

employees that are not Capstone officials are considered non-Capstone employees. Non-Capstone employee's emails are temporary and have a 10-year retention. If a non-Capstone employee email record must be kept for longer than 10 years, it should be saved to the ECMS.

Capture: The process of placing a record under records management control for disposition and access purposes. Records are not necessarily moved from the system they reside in when they are captured. Records can be imported from other sources, manually entered into the system, or linked to other systems.

Destruction: In records management, the major type of disposal action. Non-records and records which have reached the end of their retention period per the appropriate record schedule can be legally destroyed. Records containing SPII must be shredded, pulped or burned, and never simply placed in the trash.

Disposition: The actions taken regarding records no longer needed for current government business. These actions include transfer to agency storage facilities or federal records centers, transfer from one Federal agency to another, transfer of permanent records to the National Archives, and disposal of temporary records. Disposition is the third stage of the records life cycle, and the actions taken regarding non-record materials when no longer needed, including screening and destruction.

Disposal: The process of disposing of records scheduled for destruction. Records that meet these conditions are destroyed in accordance with their records retention schedule according to 36 CFR §1226.24 and methods such as those outlined in NIST Special Publication 800-88. Electronic records scheduled for destruction must be disposed of in a manner that ensures protection of any sensitive, proprietary, or national security information.

Enterprise Content Management System (ECMS): is a platform for managing EPA's information assets, including records, throughout their life cycle. ECMS comprises the policies and standards and technologies and tools used to capture, manage, store, preserve and deliver these assets Agency-wide.

Electronic Messaging Account: The term "electronic messaging account" means any account that sends electronic messages for purposes of communicating between individuals.

EZ Desktop Records: is a tool that enables users to save their records from local storage (computer hard drives, network shared drives) to the ECMS in one step by dragging-and-dropping records to one of two EZ Desktop Records icons. On a regular cycle, the records will be saved automatically. (For more information on the two options, see the FAQs at: https://usepa.sharepoint.com/sites/oei/ermd/ECMS/SitePages/EZ-Desktop-Records.aspx). You can save any electronic file format to EZ Desktop Records. For example: Word, Excel, PowerPoint, PDF and image files.

EZ Email Records: is integrated directly into your EPA email applications: Outlook and the Outlook Web Application (OWA) for current email, and Lotus Notes for legacy email. EZ Email Records simplifies saving email records to a one-step process.

Federal Records: The term "records" includes all recorded information, regardless of form or characteristics, made or received by a Federal agency under Federal law or in connection with the transaction of public business and preserved or appropriate for preservation by that agency or its legitimate successor as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities of the United States Government or because of the informational value of data in them; and does not include:

- library and museum material made or acquired and preserved solely for reference or exhibition purposes; or
- duplicate copies of records preserved only for convenience. (44 U.S.C. 3301)

Intermediary Records: Are created or used in the process of creating a subsequent record. To qualify as an intermediary record, the record must also not be required to meet legal or fiscal obligations, or to initiate, sustain, evaluate, or provide evidence of decision-making. Intermediary records include non-substantive working files: collected and created materials not coordinated or disseminated outside the unit of origin that do not contain information documenting significant policy development, action, or decision making.

Maintenance and Use: The process of managing records through their most active stage. This includes ensuring records are migrated and transformed as systems change, so the records remain usable. Digital preservation is particularly important for permanent records that will eventually be transferred to NARA.

Metadata: Elements of information that answer the questions 'who, what, where, when, and why' regarding electronic records. Metadata elements provide administrative, descriptive, and technical information that describe the structure and content of electronic records. Metadata elements also provide contextual information that explains how electronic records were created, used, managed, and maintained prior to their transfer to NARA, and how they are related to other records. This information enables NARA to appropriately manage, preserve, and provide access to electronic records for as long as they are needed. Examples include identifier, creator, title, creation date, rights, etc.

Official EPA Information System: Any information system that EPA employees are permitted to access, create, share, store or transmit information on for official government business.

Official Recordkeeping System: An "information management system which captures, manages and provides access to records through time" and can be electronic (ECMS) or paper- based.

Records Schedule: Also called records disposition schedule, records control schedule, records retention schedule, records retention and disposition schedule, or schedule. A document that describes agency records, establishes a period for their retention by the agency, and provides mandatory instructions for what to do with them when they are no longer needed for current government business. The term refers to: (1) an SF (Standard Form) 115, Request for Records Disposition Authority, that has been approved by NARA to authorize the disposition of federal records; (2) a General Records Schedule (GRS) issued by NARA; and (3) a printed agency manual or directive containing the records

descriptions and disposition instructions approved by NARA on one or more SF 115s or issued by NARA in the GRS. (Source: 36 CFR 1220.14)

Registered Information Management System: An Agency electronic information system which has an associated records schedule or an information management system which holds records and is manually managed. Such EPA systems should be registered in the Agency's Registry of EPA Applications and Databases (READ) so they can be identified for scheduling, and the retention periods tracked. Examples include the Toxics Release Inventory Processing System (TRIPS), Safe Drinking Water Information System (SDWIS), and the Air Quality System (AQS).

Reporting: Generating reports to allow for further analysis and to demonstrate effective controls and compliance. Reports may include search results, records eligible for disposition, audit logs, and other customized or ad hoc reports.

Transfer: The process of transferring records that have been scheduled as permanent to the National Archives of the United States. This includes records that have been scheduled as permanent, records that are designated as permanent in a GRS; and, when appropriate, records that are accretions to holdings (continuations of series already accessioned.)

Transitory Record: Records of short-term (180 days or less) interest, including in electronic form (e.g., e-mail messages), which have minimal or no documentary or evidential value. An example of a transitory record is a "record documenting routine activities containing no substantive information, such as routine notifications of meetings, scheduling of work-related trips and visits, and other scheduling related activities." See NARA GRS 5.1 / EPA 1006.

10.   WAIVERS

The Agency Records Officer may grant waivers to any provisions of this policy for sufficient cause.

Applications for waivers to specific provisions should contain:

- Identification of the policy provision;
- A list of reasons why the policy cannot be applied or maintained;
- An assessment of impacts resulting from non-compliance; and
- The signature of the AA, RA or Laboratory/Center/Office Director, the Chief Financial Officer, the General Counsel, or the Inspector General responsible for the records management program in question

The Agency Records Officer will notify the requesting office in writing of the decision on the waiver request within two weeks of receipt of the request. Circumstances will dictate whether the waiver may be renewed.

11. MATERIAL SUPERSEDED

CIO 2155.4, Interim Records Management Policy
ERA IRM Policy Manual, Chapter 10, 1996
Vital Records Order (Order 2160.1)
CIO 2155-P-01.1, Essential Records Procedure
ERA IRM Policy Manual, Chapter 10, 1996

12. CONTACTS

For further information about this policy, please contact the National Records Management Program at (202) 566-1494 or visit https://usepa.sharepoint.com/sites/oei/ermd/nrmp.

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