

Essential Records Procedure

1. PURPOSE

To identify specific requirements, processes and supporting documents that EPA uses to manage essential records.

2. SCOPE

This procedure covers all essential records and applies to all EPA programs, regions, laboratories, and offices.

Every federal agency is required by regulation to establish and maintain an essential records program. The essential records program is one element of the Agency's emergency management and disaster preparedness and records management functions. EPA must identify and protect those records that specify how EPA organizations will operate in case of an emergency or disaster and those records essential to the continuing operations of the Agency. Records must be accessible at the primary, alternate, and devolution locations.

3. AUDIENCE

All EPA organizations, officials, and employees, as well as contractors and grantees, and others operating on behalf of EPA.

4. AUTHORITY

- 36 CFR Part 1223 – Managing Vital Records (the term “vital records” was changed to “essential records” by the Department of Homeland Security, Federal Emergency Management Agency (FEMA) *Federal Continuity Directive (FCD) 1* in October 2012).
 - CIO 2155.5: Records Management Policy; August 2021
 - FEMA – Federal Continuity Directive (FCD) 1; January 2017
 - FEMA – Federal Continuity Directive (FCD) 2; June 2017
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5. PROCEDURE

The following is the required procedure to establish and maintain an essential records program:

- a. Identify essential records and prepare an essential records inventory, including.
 1. Records that specify how the organization will operate in an emergency or disaster including appropriate policies, authorities, and procedures
 2. Records that are needed to protect the legal and financial rights of the government and citizens; and
 3. Records necessary to ensure the organization's continuity of operations including performance of essential functions and reconstitution of normal operations
- b. Develop and implement a plan for protecting and accessing the essential records
- c. Update the inventory at least annually
- d. Update essential records, as needed, and remove and destroy outdated copies
- e. Certify the inventory and send the certification through senior management (e.g., Assistant Administrators, Regional Administrators) to the Agency Essential Records Officer by October 1 of each year
- f. Review the organization's essential records program annually to address new security issues, identify problem areas, update information to ensure the latest versions are available, and identify any missing essential records
- g. Participate in continuity of operations (COOP) exercises and report results to management

6. ROLES AND RESPONSIBILITIES

The following are the roles and responsibilities to implement the procedure:

- *Essential Records Officer* – coordinates the Agency's essential records program
- *Assistant Administrators, Chief Financial Officer, General Counsel, Inspector General, Regional Administrators, and Laboratory/Center/Office Directors* – designate a Records Liaison Officer (RLO) who will implement an essential records plan within their respective organizations
- *Records Liaison Officers (RLOs)* – coordinate the identification, protection, certification and updating of essential records for their respective organizations. RLOs collaborate with COOP planners to complete essential records inventories and post each essential record on their Essential Records SharePoint site to ensure that they are accessible at designated COOP sites
- *EPA employees, contractors and grantees, and others operating on behalf of EPA* – identify and protect essential records

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*Issued by the EPA Chief Information Officer,
Pursuant to Delegation 1-19*

7. RELATED INFORMATION

- [Continuity of Operations Plan \(COOP\) Policy \(2030.1A\)](#)
- [National Security Emergency Preparedness Policy \(2040.1A1\)](#)
- [Records Management Policy \(2155.5\)](#)
- [National Archives and Records Administration: Essential Records Guide](#)

8. DEFINITIONS

- *Essential records* – Information systems and applications, electronic and hardcopy documents, reference materials, and records needed to support essential functions during a continuity of operations event. The two basic categories of essential records are emergency operating records and legal and financial rights records. Emergency operating records are needed to respond to an emergency and for the continued functioning or reconstitution of an organization. Legal and financial rights records are critical to carrying out an organization’s essential legal and financial functions and vital to the protection of the legal and financial rights of individuals who are directly affected by that organization’s activities
- *Essential records inventory* – A list identifying the records designated as essential. It includes other identifying information such as where the records are located, who is responsible for them, when they are updated, and how to obtain access
- *Essential records program* – The policies, plans and procedures developed and implemented; and the resources needed to identify, use and protect the essential records needed to meet operational responsibilities under national security emergencies or other emergency or disaster conditions or to protect the government’s rights or those of its citizens

9. WAIVERS

No waivers will be granted for this procedure.

10. DIRECTIVE(S) SUPERSEDED

CIO 2155.P-01.3: Essential Records Procedures, Dated 06/06/2022

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Pursuant to Delegation 1-19*

11. CONTACTS

For questions about this procedure, please contact the National Records Management Program at records@epa.gov.

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for Information Technology and Information Management***