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October 25, 2016

Mr. John Ellis
U.S. Environmental Protection Agency
1200 Pennsylvania Ave NW (MC 2822T)
Washington, DC 20460

Dear Mr. Ellis:

The National Archives and Records Administration (NARA) is aware of an alleged unauthorized disposition of Environmental Protection Agency (EPA) records based on a news article published in the Federal Times on September 30, 2016 (see attachment). The news article stated that “a whistleblower tip revealed that inspections, notices of violation and noncompliance files from EPA’s Atlanta Regional Office’s unsecured mixed-use file room were improperly disposed of because of shortcomings in the office’s ‘internal controls.’”

In accordance with 36 CFR 1230.16(b), NARA is requesting that EPA provide us with a response within 30 calendar days indicating the specific actions EPA will take to address these allegations and the steps EPA will take to mitigate future losses of EPA records. If EPA determines that an unauthorized disposition has occurred, then EPA must submit a report to NARA as described in 36 CFR 1230.14. Please indicate if the specific records outlined in the allegation can be recreated or duplicated from other sources.

Thank you for your cooperation. If you have any questions, please contact Andrea Noel, Senior Records Analyst, at 301-837-3564 or by email at andrea.noel@nara.gov.

Sincerely,

LAURENCE BREWER
Chief Records Officer
for the U.S. Government

Enclosure

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January 9, 2017

Mr. John Ellis
U.S. Environmental Protection Agency
1200 Pennsylvania Ave NW (MC 2822T)
Washington, DC 20460

Dear Mr. Ellis:

We have reviewed your response concerning the unauthorized destruction of 93 lead-based enforcement files in the Air, Pesticides & Toxics Management Division in EPA Region 4.

The December 14, 2016, letter describes the events and corrective actions, which effectively satisfy all the requirements listed in 36 CFR 1230.14 on reporting to the National Archives and Records Administration (NARA) any unlawful or accidental destruction of Federal records. NARA accepts your description of the events and the corrective actions taken to address the loss of records in this matter. This case is now closed.

Thank you for your cooperation. If you have any questions, please contact Andrea Noel, Senior Records Analyst, at 301-837-3564 or by email at andrea.noel@nara.gov.

Sincerely,

LAURENCE BREWER
Chief Records Officer
for the U.S. Government

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