



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE
SOLID WASTE AND

Michael Wells
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United States Air Force
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Langley AFB, VA 23665

Dear Mr. Wells:

The purpose of this letter is to clarify the requirements under OSWER Directive No. 9833.3A-1, Final Guidance on Administrative Records for Selecting CERCLA Response Actions, Section 113 (k) (1&2) of CERCLA, for Administrative Record (AR) files at 58 different U.S. Air Force installations. This letter is in response to the attached request from William Ohlmeyer of Labat-Anderson, Inc., on behalf of their client, the U.S. Air Force Headquarters Air Combat Command/Judge Advocate, to allow digital storage on CD-ROMs of library copies of the AR files.

The OSWER Directive No. 9833.3A-1, Section II-J, page 21, states, "The lead agency may make the administrative record file available to the public in microform (40 CFR 300.805 (c)). Use of microform can significantly reduce the space required to store administrative record files". As written, the OSWER Directive provides guidance for "micrographics" only, and is silent on the latest technology of digital storage (CD-ROM). It should be emphasized that regardless of the media used for public or additional copies of the AR file, the government must maintain at least one master paper copy of the AR file for national archival purposes (NARA schedule No. N1-412-94-3/2, EPA Series 012A).

I understand that the U.S. Air Force has requested Labat to update the AR files at the bases and that the Air Force is interested in changing the AR file medium at the public libraries. I further understand that the Air Force is interested in removing the volumes of documents from the libraries and has requested that Labat develop a procedure for replacing the paper copies of the AR files with copies on CD-ROM. The use of a CD-ROM (Compact Disk with Read-Only Memory) can be an appropriate technology and satisfy the requirements for "micrographics" under the guidance for Administrative Records with the stipulation that the images represented on the CD-ROM remain accurate reproductions of the original documents and that equipment is made available to the public to view and reproduce copies of the documents.

Based on this stipulation and the requirement to always possess at least one permanent copy of the AR file, I am informing you that the use of CD-ROM media satisfies OSWER Directive No. 9833.3A-1 for the public copy of the Administrative Record.

Sincerely,

Stephen D. Luftig
Director
Office of Emergency and Remedial Response

Attachment

