

this notice without the consent of the individual if the disclosure is compatible with the purposes for which the record was collected. These disclosures may be made on a case-by-case basis or under a computer matching agreement if the Agency has complied with the computer matching requirements of the Act.

The general routine uses for EPA's CDX are listed as follows: A,B,C,E,F,G,H,I, and K apply. A detailed description of these routine uses can be found in the **Federal Register** Notice (at 66 FR 49947 (2001)) and also on the National Archives and Records Administration website, Privacy Act Issuances—1999 Compilation at: [http://www.access.gpo.gov/su\\_docs/aces/PrivacyAct.shtml](http://www.access.gpo.gov/su_docs/aces/PrivacyAct.shtml) In addition, the following routine uses may also apply:

Program Disclosures: The Agency may disclose information from this system to Federal, State, or local agencies, private parties such as relatives, present and former employers and business and personal associates, and hearing officials for the following purposes:

- (a) To verify the identity of the individual;
- (b) To enforce the conditions or terms of Agency program regulations;
- (c) To investigate possible fraud and verify compliance with Agency program regulations;
- (d) To prepare for litigation or to litigate collection service and audit;
- (e) To initiate a limitation, suspension and termination (LS&T), debarment, or suspension action;
- (f) To investigate complaints, update files, and correct errors.

Litigation and Alternative Dispute Resolution (ADR) Disclosures:

(a) In the event that one of the parties listed below is involved in litigation or ADR, or has an interest in litigation ADR, the Agency may disclose certain records to the parties described in paragraphs (b), (c), and (d) of this routine use under the conditions specified in those paragraphs:

- (i) The Environmental Protection Agency, or any component of the Agency; or
- (ii) Any Agency employee in his or her official capacity; or
- (iii) Any Agency employee in his or her individual capacity if the Department of Justice (DOJ) has agreed to provide or arrange for representation for the employee;
- (iv) Any Agency employee in his or her individual capacity where the agency has agreed to represent the employee; or
- (v) The United States where the Agency determines that the litigation is

likely to affect the Agency or any of its components.

(b) Disclosure to the DOJ. If the Agency determines that disclosure of certain records to the DOJ is relevant and necessary to litigation or ADR, the Agency may disclose those records as a routine use to the DOJ.

(c) Administrative Disclosures. Agencies that may obtain information under this routine use include, but are not limited to, the Office of Personnel Management, Office of Special Counsel, Merit Systems Protection Board, Federal Labor Relations Authority, Equal Employment Opportunity Commission, and Office of Government Ethics.

(d) Parties, counsels, representatives and witnesses. If the Agency determines that disclosure of certain records to a party, counsel, representative or witness in an administrative proceeding is relevant and necessary to the litigation, the Agency may disclose those records as a routine use to the party, counsel, representative or witness.

Research Disclosure: The Agency may disclose records to a researcher if an appropriate official of the Agency determines that the individual or organization to which the disclosure would be made is qualified to carry out specific research related to functions or purposes of this system of records. The official may disclose records from this system of records to that researcher solely for the purpose of carrying out that research related to the functions or purposes of this system of records. The researcher shall be required to maintain Privacy Act safeguards with respect to the disclosed records.

**POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**

**STORAGE:**

The CDX is a system for which the Agency is in the process of establishing a records schedule. The CDX will be taking e-transactions and preserving them in accordance with applicable EPA and other Federal policy and regulations. The CDX currently stores records on magnetic and/or digital formats. All record storage procedures are in accordance with current applicable regulations.

**RETRIEVABILITY:**

Records are retrievable by the CDX user name, program ID number, or all or part of the individual's name.

**SAFEGUARDS:**

EPA has minimized the risk of unauthorized access to the system by establishing a secure environment for exchanging electronic information.

Physical access to the data system housed within the facility is controlled by a computerized badge reading system, and the entire complex is patrolled by security during non-business hours. The computer system offers a high degree of resistance to tampering and circumvention. Multiple levels of security are maintained with the computer system control program. This system limits data access to EPA and contract staff on a need to know basis, and controls individuals ability to access and alter records with the system. All users of the system of records are given a unique user identification (ID) with personal identifiers. All interactions between the system and the authorized individual users are recorded.

**RETENTION AND DISPOSAL:**

The EPA will retain and dispose of these records in accordance with National Archives and Records Administration General Records Schedule 20, Item 1.c. This schedule provides disposal authorization for electronic files and hard copy printouts created to monitor system usage, including but not limited to log-in files, audit trail files, system usage files, and cost-back files used to access charges for system use. Records will be deleted or destroyed when the Agency determines they are no longer needed for administrative, legal, audit, or other program purposes.

**SYSTEM MANAGERS AND ADDRESS:**

USEPA, Office of Environmental Information, (MS2823), 1200 Pennsylvania Ave. NW., Washington, DC 20460, Attn: Chief, Central Receiving Branch.

**NOTIFICATION PROCEDURE:**

Requests to determine whether this system of records contains a record pertaining to the requesting individual should be sent to the USEPA, Office of Environmental Information, (MS2823T), 1200 Pennsylvania Ave. NW., Washington, D.C. 20460, Attn: Chief, Central Receiving Branch. To send a fax request: 202-566-1684. To determine whether a record exists regarding you in the system of records, provide the system manager with your name and username. Requests must meet the requirements of the regulations at 40 CFR part 16.

**RECORD ACCESS PROCEDURES:**

A request for record access shall follow the directions described under Notification Procedure and will be addressed to the system manager at the address listed above.