

NPDES Compliance Inspection Manual

Appendix F



EPA Publication Number: 305-K-17-001
Interim Revised Version, January 2017



Appendix F –
Final Fact Sheet: The Do's and Don'ts
of Using U.S. EPA Credentials

DATED: JUNE 1, 2000; SIGNED: MICHAEL STAHL

MEMORANDUM

SUBJECT: Final Fact Sheet:
The United States Environmental Protection Agency Credentials Fact Sheet

FROM: Michael Stahl, Acting Directors/ MICHAEL STAHL
Office of Compliance

TO: See Attached List

Purpose The purpose of this memo is to transmit the final fact sheet on the United States Environmental Protection Agency (U.S. EPA) credentials. The fact sheet does not change existing EPA policies on credentials. The fact sheet is designed to inform EPA managers, supervisors, and employees of the overall process regarding U.S. EPA credentials. The fact sheet pertains only to EPA employees. The fact sheet contains information on the definition, policy, authority, language, issuing procedures, accountability, renewal, potential penalties for improper use, and specific do's and don'ts.

Process A draft fact sheet was transmitted for your review on April 14, 2000. The Office of Compliance (OC) received comments on the draft fact sheet from Regions 2, 3, 4, 6, 7 and 8, and from the Office of General Counsel (OGC), the Office of Environmental Justice (OEJ), the Office of Regulatory Enforcement (ORE), and the Office of Administration and Resource Management (OARM). The fact sheet was revised based on the comments.

Request Please distribute a copy of the fact sheet to all EPA employees holding EPA credentials. The fact sheet will also be posted on the OC Compliance Inspector Web Site. (<http://intranet.epa.gov/oeca/oc/metd/inspector>)

Future Procedure OARM will include a copy of the fact sheet with the credentials when they are renewed every three (3 years).

Thank you for your attention to this request.

Addressees:

Eric Schaeffer, Director, ORE
Leo D'Amico, Director, OCEFT
Barry Breen, Director, OSRE
James C. Nelson, Associate General Counsel, Cross-Cutting Issues Law Office
Barry Hill, Director, Office of Environmental Justice
John Fogarty, Acting Director, Office of Planning and Policy Analysis
Craig Hooks, Director, Federal Facilities Enforcement Office
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Regional Enforcement Coordinators, Regions I-X
Regional Security Managers, Regions I-X
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The Do's and Don'ts of Using U.S. EPA Credentials

These do's and don'ts are established based on good management practices for ensuring the proper use of EPA credentials by *EPA employees*. The practical purpose of the do's and don'ts is to make EPA employees aware of the importance to safeguard credentials, and limit their use to ONLY enforcement functions.

DO'S	DON'TS
Do use for official duties described in the credentials	Do NOT use for non-enforcement government business
Do use to conduct compliance inspections	Do NOT allow anyone to hold or take possession of your credentials
Do use to conduct compliance investigations	Do NOT loan the credentials to anyone. This includes other EPA employees.
Do use when responding to environmental complaints and/or spills	Do NOT photocopy the credentials
Do use to conduct facility audits	Do NOT fail to report a lost or stolen credentials to your supervisor
Do use to verify status as an EPA official when interviewing witnesses in the field	Do NOT allow anyone else to photocopy or use the credentials
Do use as identification for entry into facilities regulated under federal environmental laws and regulations	
Do safeguard storage of credentials	
Do always immediately report if the EPA credentials is lost or stolen to your immediate supervisor	

FACT SHEET ON CREDENTIALS ISSUED TO EPA EMPLOYEES DO'S AND DON'TS

5/23/00

Source: EPA Security Manual, Physical Security Section, Volume 4850-1, dated 7/16/84

DEFINITION

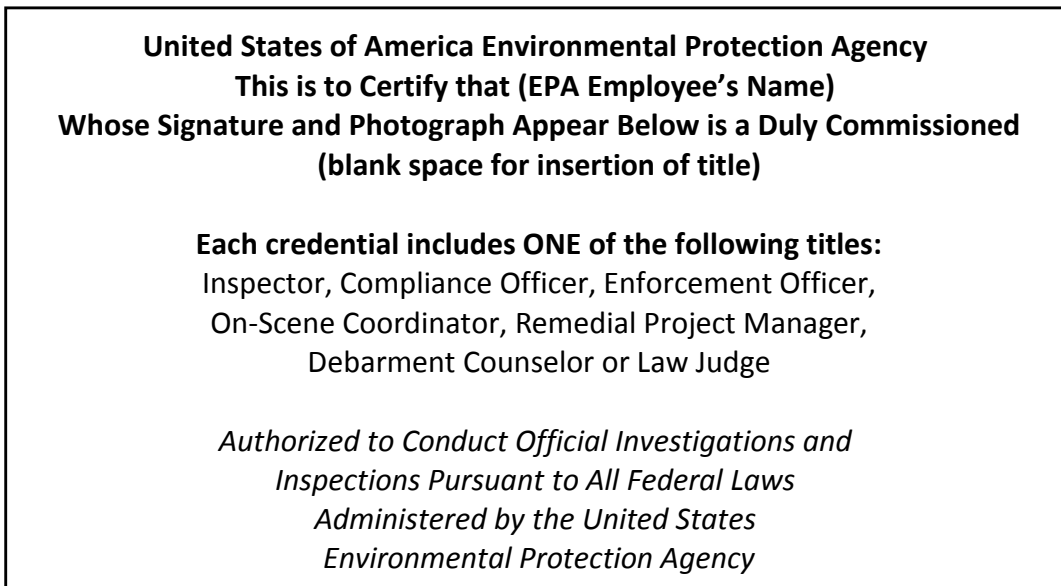
The 1984 Security Manual defines an EPA credential as: "An EPA credential is a pocket warrant authorized by the Administrator, Assistant Administrator, or Regional Administrator that identifies the bearer as having the authority to act in an enforcement, inspection, survey, or investigation capacity." However, the EPA's legal authority to perform the enforcement, inspection, survey, or investigation functions is based on the applicable federal environmental statutes passed by the United States Congress and signed by the President of the United States. **The credential evidences the proper delegation of this authority and does not provide independently the authority to undertake these activities.**

POLICY

EPA credentials should be issued only to those officers and employees who routinely need them to actively perform official enforcement, inspection, survey or investigative functions. EPA credentials generally are not issued to non-EPA employees, but in certain situations may be issued to State or tribal personnel, contractors, or grantees. In the event that non-EPA employees are authorized by the Administrator, Regional Administrator, or Assistant Administrator to possess EPA credentials, the credentials will be issued by the Regional Office, Lab, or other organization which has responsibility for overseeing the duties of the credentialed non-EPA employee.

LANGUAGE

The language on the EPA credential states:



ISSUANCE

The requesting Headquarters program, media office, Regional office or Lab, should transmit a brief memorandum of justification to the Headquarters Office of Administration and Resources Management (OARM) requesting credentials to be issued to specific EPA employees. The memo should include the names, titles, organization, official duties, date of request, and the signature of requesting official. The requesting party is responsible for ensuring that the bearer has met applicable training requirements (e.g., EPA Order 3500.1). OARM (Security Management) will issue the federal credentials to the named employees after review of the information.

ACCOUNTABILITY

Since credentials are issued only to assist the bearer in the performance of official duties, the credentials should be returned to OARM when the bearer leaves the position requiring the EPA credentials. The employee's office should send OARM a brief note explaining the reason the credentials are being returned (e.g., retirement, employee reassigned to a position not requiring a credential)

If the EPA credentials are lost or stolen, the bearer should promptly notify his or her immediate supervisor, in writing, and a copy should be sent to OARM. A brief report of the circumstances surrounding the loss or theft should be forwarded to the Security Management Staff along with the new request. If a new set of credentials is required, the above procedures will be followed.

Failure to promptly notify the supervisor of a lost or stolen credential could result in disciplinary action against the bearer.

RENEWAL

EPA credentials will be renewed every three (3) years by OARM. The Security Management Official will transmit a list of Regional employees whose credentials will expire to the Security Representative in each Region for review. The Security representative is responsible for

ensuring that all listed personnel still have a need for the credential and applicable training is up-to-date. Once the list has been updated and returned to the HQ Security Management Official, OARM will renew the Regional credentials. All credentials are reissued on a rolling monthly basis to each Region (e.g., January for Region I, February for Region II, etc.)

Each Headquarters Office will receive a listing of employees whose credentials will expire. The Office Director is responsible for ensuring that all listed personnel still have a need for the credential and applicable training is up-to-date. OARM will renew these credentials on a first-come, first-served basis. All Headquarters credentials expire in December of the calendar year.