

# NOTICE - SOME ITEMS SUPERSEDED OR OBSOLETE

## **Schedule Number: NC1-412-83-08**

Some items in this schedule are either obsolete or have been superseded by new NARA approved records schedules. This information is accurate as of: 09/07/2022

### **ACTIVE ITEMS**

These items, unless subsequently superseded, may be used by the agency to disposition records. It is the responsibility of the user to verify the items are still active.

Item 4 remains active

### **SUPERSEDED AND OBSOLETE ITEMS**

The remaining items on this schedule may no longer be used to disposition records. They are superseded, obsolete, filing instructions, non-records, or were lined off and not approved at the time of scheduling. References to more recent schedules are provided below as a courtesy. Some items listed here may have been previously annotated on the schedule itself.

Item 5 was superseded by N1-412-06-019

**REQUEST FOR RECORDS DISPOSITION AUTHORITY**  
 (See Instructions on reverse)

|   |  |
|---|--|
| LEAVE BLANK   |  |
| JOB NO<br>NC1-112-83-8  |  |
| DATE RECEIVED<br>4-11-83  |  |
| NOTIFICATION TO AGENCY  |  |
| In accordance with the provisions of 44 U.S.C. 3303a the disposal request, including amendments, is approved except for items that may be stamped "disposal not approved" or "withdrawn" in column 10 |  |
| 3-8-85<br>Date  | <i>Robert M. [Signature]</i><br>Archivist of the United States |

TO **GENERAL SERVICES ADMINISTRATION,  
 NATIONAL ARCHIVES AND RECORDS SERVICE, WASHINGTON, DC 20408**

1 FROM (AGENCY OR ESTABLISHMENT)  
 Environmental Protection Agency

2 MAJOR SUBDIVISION  
 Regional Enforcement Program

3 MINOR SUBDIVISION

4 NAME OF PERSON WITH WHOM TO CONFER  
 Thomas Tasker

5 TEL EXT  
 382-5911

6 CERTIFICATE OF AGENCY REPRESENTATIVE

I hereby certify that I am authorized to act for this agency in matters pertaining to the disposal of the agency's records; that the records proposed for disposal in this Request of 8 page(s) are not now needed for the business of this agency or will not be needed after the retention periods specified.

A Request for immediate disposal.

B Request for disposal after a specified period of time or request for permanent retention.

|                   |   |  |
|-------------------|---|--|
| C DATE<br>3/15/83 | D SIGNATURE OF AGENCY REPRESENTATIVE<br><i>Thomas Tasker</i><br>Thomas Tasker | E. TITLE<br>Acting Chief, Records Management Staff |
|-------------------|---|--|

| 7 ITEM NO                    | 8 DESCRIPTION OF ITEM<br>(With Inclusive Dates or Retention Periods)  | 9. SAMPLE OR JOB NO    | 10. ACTION TAKEN |
|------------------------------|---|------------------------|------------------|
| 1, 2<br><del>3</del><br>4, 5 | The Regional Enforcement Records Control Schedule is being amended to provide for either a paper record system or a micrographic record system. The retention period for item number <del>3</del> , 4. Compliance Files - All Pollution Sources has been increased from 1 year to 3 years after achieving compliance. The regional programs have reassessed this function and believe that the current retention period of 1 year is too short.<br><br>Attached is a copy of the EPA Records Control Schedule for the four series of records. | Appendix D<br>Schedule | 4                |

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**U.S. ENVIRONMENTAL PROTECTION AGENCY—RECORDS CONTROL SCHEDULES**

SCHED NO

4

TITLE OF SCHEDULE

ENFORCEMENT RECORDS

COVERAGE OF SCHEDULE

REGIONAL OFFICES

ITEM NO

NAME AND DESCRIPTION OF RECORD/FILE

RETENTION PERIOD AND DISPOSITION

1. NPDES Permits File. Contains records used in issuance of pollution discharge permits under the National Pollution Discharge Elimination System (NPDES) program. Permits issued to municipal, industrial, agricultural, and Federal facility dischargers by EPA regional offices or authorized state agencies. Records consist of application for permit; correspondence with applicant, Corps of Engineers, and certifying agency; copy of public notice and comments; public hearing requests; copy of summary reports and permit rationale; and permit copy. Also, includes permit revisions and records used in determining compliance with permit provisions, such as discharge monitoring reports, inspection sampling reports, appeals documents, copies of enforcement actions, and other related records.

PAPER RECORD SYSTEM

Retention: Retain 5 years.

Disposition: Break file when facility ceases to operate or emit pollution. Keep in office for 1 year, then transfer to the Federal Records Center. Destroy when 5 years old.

MICROGRAPHIC RECORD SYSTEM

Retention:

a. Paper Records. Retain until conversion to microform has been completed.

b. Microform Copy (Official Record Copy). Retain 5 years.

Disposition:

a. Paper Records. Keep in office until conversion to microform has been completed and microform is verified for completeness, then destroy.

b. Microform Copy (Official Record Copy). Break file when facility ceases to operate or emit pollution. Keep in office for 1 year, then transfer to the Federal Records Center. Destroy when 5 years old.

c. Other Microform Copies. Destroy when no longer needed.

RECORDS MANAGEMENT MANUAL

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2. RCRA Permit File. Contains records used in the issuance or denial of a permit to an owner/operator of a facility that treats, stores, or disposes of hazardous wastes under the Resource Conservation and Recovery Act (RCRA) Program. Records consist of the notification form, application for permit (Parts A and B), background and supporting documentation, public notice (FR document) announcing receipt of application, comments and records of public meeting, tentative determination to issue/deny permit, statement of basis for minor facility or fact sheet for major facility, public notice (FR document) announcing EPA approval or denial of permit, comments and records of public hearing, copy of permit, exception reports, closure and post-closure actions, copy of inspection reports, compliance reports, manifests, delisting of hazardous waste(s), correspondence between EPA and the permittee, copy of liability insurance policy or document providing evidence of financial responsibility, records and documentation relating to changes during interim status, and other related records.

PAPER RECORD SYSTEM

Retention: Retain 5 years.

Disposition: Break file when facility ceases to operate or emit pollution. Keep in office for 1 year, then transfer to the Federal Records Center. Destroy when 5 years old.

MICROGRAPHIC RECORD SYSTEM

Retention:

a. Paper Records. Retain until conversion to microform has been completed.

b. Microform Copy (Official Record Copy). Retain 5 years.

Disposition:

a. Paper Records. Keep in office until conversion to microform has been completed and microform is verified for completeness, then destroy.

b. Microform Copy (Official Record Copy). Break file when facility ceases to operate or emit pollution. Keep in office for 1 year, then transfer to the Federal Records Center. Destroy when 5 years old.

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SCHED NO

4

| TITLE OF SCHEDULE   |   | COVERAGE OF SCHEDULE  |
|---------------------|---|---|
| ENFORCEMENT RECORDS |   | REGIONAL OFFICES  |
| ITEM NO             | NAME AND DESCRIPTION OF RECORD/FILE   | RETENTION PERIOD AND DISPOSITION  |
| 4.                  | <p><u>Compliance Files - All Pollution Sources.</u> Contains records used to determine compliance with pollution regulations and to recommend legal enforcement action if necessary. Specific documents vary from source to source and program to program, but generally include copies of compliance schedules, monitoring or compliance reports, applications for compliance schedules and requests for schedule waiver or modification. If source appears to be out of compliance, file will include letters requesting additional information from the source, technical information from the source, technical evaluation reports by regional office, and recommendations for legal action against the source to enforce compliance. Note: This item includes all compliance records maintained in the Enforcement offices except the NPDES and RCRA compliance files.</p> | <p><u>PAPER RECORD SYSTEM</u></p> <p><u>Retention:</u></p> <p>a. <u>Sources with Compliance History.</u> Retain current plus 3 years.</p> <p>b. <u>Sources with Non-Compliance History.</u> Retain current plus 5 years.</p> <p><u>Disposition:</u></p> <p>a. <u>Sources with Compliance History.</u> Break file each year. Keep in office for 3 years, then destroy.</p> <p>b. <u>Sources with Non-Compliance History.</u> Break file each year. Keep in office for 5 years after achieving compliance, then destroy.</p> <p><u>MICROGRAPHIC RECORD SYSTEM</u></p> <p><u>Retention:</u></p> <p>a. <u>Sources with Compliance History.</u></p> <p>1. <u>Paper Records.</u> Retain until conversion to microform has been completed.</p> <p>2. <u>Microform Copy (Official Record Copy).</u> Retain current plus 3 years.</p> <p>b. <u>Sources with Non-Compliance History.</u></p> <p>1. <u>Paper Records.</u> Retain until conversion to microform has been completed.</p> <p>2. <u>Microform Copy (Official Record Copy).</u> Retain current plus 5 years.</p> <p><u>Disposition:</u></p> <p>a. <u>Sources with Compliance History.</u></p> <p>1. <u>Paper Records.</u> Keep in office until conversion to microform has been completed and microform is verified for completeness, then destroy.</p> |

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**U.S. ENVIRONMENTAL PROTECTION AGENCY—RECORDS CONTROL SCHEDULES**

SCHED NO

TITLE OF SCHEDULE

COVERAGE OF SCHEDULE

| ITEM NO | NAME AND DESCRIPTION OF RECORD/FILE | RETENTION PERIOD AND DISPOSITION   |
|---------|-------------------------------------|--|
|         |                                     | <ul style="list-style-type: none"> <li>2. <u>Microform Copy (Official Record Copy)</u>. Break file each year. Keep in office for 3 years, then destroy.</li> <li>3. <u>Other Microform Copies</u>. Destroy when no longer needed.</li> </ul> <p>b. <u>Sources with Non-Compliance History</u>.</p> <ul style="list-style-type: none"> <li>1. <u>Paper Records</u>. Keep in office until conversion to microform has been completed and microform is verified for completeness, then destroy.</li> <li>2. <u>Microform Copy (Official Record Copy)</u>. Break file each year. Keep in office for 5 years after achieving compliance, then destroy.</li> <li>3. <u>Other Microform Copies</u>. Destroy when no longer needed.</li> </ul> |

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5. Enforcement Action Case Files -- All Pollution Programs. Includes all cases referred to enforcement staff from all program offices for legal action against a pollution source or discharger. Document contents vary from program to program but generally includes records used to determine compliance (item 4 above) and in addition: memos or transcripts documenting informal meetings with officials of pollution sources, pre-consent order correspondence, briefing memos, final consent orders, and court documents including briefs, pleadings, judgment documents, and appellate documents.

A

PAPER RECORD SYSTEM

Retention:

1.  
2.  
3.

- 1. No Legal Action Required. Retain 5 years
- 2. Routine Legal Actions. Retain 20 years.
- 3. Landmark Cases. Permanent (EPA Administrator designates actions as landmark or precedent cases.)

Disposition:

1.  
2.  
3.

- 1. No Legal Action Required. Break file after settlement or closing of case. Keep in office for 1 year, then transfer to the Federal Records Center. Destroy when 5 years old.
- 2. Routine Legal Actions. Break file after settlement or closing of case. Keep in office for 2 years, then transfer to the Federal Records Center. Destroy when 20 years old.
- 3. Landmark Cases. Break file upon settlement or closing of case. Keep in office for 5 years, then transfer to the Federal Records Center. Keep in FRC for 15 years, then offer to the National Archives.

B

MICROGRAPHIC RECORD SYSTEM

Retention:

a. No Legal Action Required.

- 1. Paper Records. Retain until conversion to microform has been completed.
- 2. Microform Copy (Official Record Copy). Retain 5 years.

b. Routine Legal Actions.

- 1. Paper Records. Retain until conversion to microform has been completed.
- 2. Microform Copy (Official Record Copy). Retain 20 years.

*Changes in numbering system made per Tom Tasher CSR 3/1/85*

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SCHED NO

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ITEM NO

NAME AND DESCRIPTION OF RECORD/FILE

RETENTION PERIOD AND DISPOSITION

c. Landmark Cases.

1. Paper Records. Retain until conversion to microform has been completed.
2. Microform Copy (Official Record Copy). Permanent.

Disposition:

a. No Legal Action Required.

1. Paper Records. Keep in office until conversion to microform has been completed and microform is verified for completeness, then destroy.
2. Microform Copy (Official Record Copy). Break file after settlement or closing of case. Keep in office for 1 year, then transfer to the Federal Records Center. Destroy when 5 years old.
3. Other Microform Copies. Destroy when no longer needed.

b. Routine Legal Actions.

1. Paper Records. Keep in office until conversion to microform has been completed and microform is verified for completeness, then destroy.
2. Microform Copy (Official Record Copy). Break file after settlement or closing of case. Keep in office for 2 years, then transfer to the Federal Records Center. Destroy when 20 years old.
3. Other Microform Copies. Destroy when no longer needed.

c. Landmark Cases.

1. Paper Records. Keep in office until conversion to microform has been completed and microform is verified for completeness, then destroy.

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ITEM  
NO

NAME AND DESCRIPTION OF RECORD/FILE

RETENTION PERIOD AND DISPOSITION

c. Landmark Cases (continued)

2. Microform Copy (Official Record Copy). Offer to NARS when 20 years old silver halide microfilm plus one silver, diazo, or vesicular duplicate. Transfer certified microfilm in cubic foot blocks to Federal Records Center pending offer to NARS.
3. Other Microform Copies. Destroy when no longer needed.