

REQUEST FOR RECORDS DISPOSITION AUTHORITY
(See Instructions on reverse)

LEAVE BLANK

JOB NO
NCl-412-85-13

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

DATE RECEIVED
2-25-85

1 FROM (Agency or establishment)
Environmental Protection Agency

NOTIFICATION TO AGENCY

2 MAJOR SUBDIVISION
AA/Enforcement and Compliance Monitoring

In accordance with the provisions of 44 USC 3303a the disposal request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10. If no records are proposed for disposal, the signature of the Archivist is not required.

3 MINOR SUBDIVISION

4 NAME OF PERSON WITH WHOM TO CONFER
Harold Webster
Thomas Tasker

5 TELEPHONE EXT
382-5912
382-5911

DATE
12-22-86

ARCHIVIST OF THE UNITED STATES
Frank A. Bunker

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 11 page(s) are not now needed for the business of this agency or will not be needed after the retention periods specified, and that written concurrence from the General Accounting Office, if required under the provisions of Title 8 of the GAO Manual for Guidance of Federal Agencies, is attached.

A GAO concurrence is attached, or is unnecessary.

| B. DATE | C. SIGNATURE OF AGENCY REPRESENTATIVE | D. TITLE |
|---------|---------------------------------------|-----------------------------------|
| 2/20/85 | Thomas Tasker <i>Thomas Tasker</i> | Agency Records Management Officer |

| 7 ITEM NO | 8 DESCRIPTION OF ITEM (With Inclusive Dates or Retention Periods) | 9 GRS OR SUPERSEDED JOB CITATION | 10 ACTION TAKEN (NARS USE ONLY) |
|-----------|--|----------------------------------|---|
| 1 - 14 | The Enforcement and Compliance Monitoring Records Control Schedule is being revised to make it consistent with the Program's current operations. The revision of this schedule is part of a major review and update of the EPA Records Control Schedules. Attached is a copy of the revised Enforcement and Compliance Monitoring Records Control Schedule. | Appendix C Schedule 3 | <p>10 items</p> <p>All changes to this proposed schedule have been approved by: <i>William E. Stuyvesant</i> NARA appraiser Date 9-8-86</p> <p><i>Thomas Tasker</i> Agency Rep. Date 9/8/86</p> |

U.S. ENVIRONMENTAL PROTECTION AGENCY—RECORDS CONTROL SCHEDULES

SCHED NO

TITLE OF SCHEDULE
ENFORCEMENT AND COMPLIANCE MONITORING AND OTHER ENFORCEMENT RECORDS

COVERAGE OF SCHEDULE
APPLICABLE HEADQUARTERS OFFICE

| ITEM NO. | NAME AND DESCRIPTION OF RECORD/FILE | RETENTION PERIOD AND DISPOSITION |
|----------|---|--|
| 1. | <p><u>Controlled and Major Correspondence of the Assistant Administrator for Enforcement and Compliance Monitoring.</u> Includes copies of controlled and major correspondence signed by the Assistant Administrator. The correspondence significantly documents the program activities and was processed under special handling control procedures because of the importance of the letters or time requirements of replies. Records consist of copies of incoming letters, copies of the responses, and enclosures.</p> | <p><u>Retention:</u> Permanent.</p> <p><u>Disposition:</u> Break file at end of year. Keep in office current plus 1 additional year, then transfer to the FRC. Keep in FRC 10 years, then offer to National Archives in 5 year blocks.</p> |
| 2. | <p><u>General Correspondence of the Assistant Administrator for Enforcement and Compliance Monitoring.</u> Includes copies of non-controlled (routine) correspondence. Records also consist of incoming letters and enclosures.</p> | <p><u>Retention:</u> Retain 5 years.</p> <p><u>Disposition:</u> Break file at end of year. Keep in office 1 year, then transfer to FRC. Destroy when 5 years old.</p> |
| 3. | <p><u>Program Development File.</u> Consists of records related to the development of enforcement and compliance monitoring policies and programs. Records consist of correspondence, issue papers and reports relative to policy, strategy, program control, research priorities, legislative priorities, and other related records.</p> | <p><u>Retention:</u> Permanent.</p> <p><u>Disposition:</u> Break file at end of 2 years. Keep in office 3 years, then transfer to the FRC. Keep in FRC for 20 years, then offer to the National Archives in 5 year blocks.</p> |
| 4. | <p><u>Program Management File.</u> Consists of records related to the management and administrative support of each unit of the Office of Enforcement and Compliance Monitoring. Records consist of program planning and implementation, personnel needs, work accomplishments, budgetary materials, and other program management activities.</p> | <p><u>Retention:</u> Retain 5 years.</p> <p><u>Disposition:</u> Break file at end of year. Keep in office 1 year, then transfer to the FRC. Destroy when 5 years old.</p> |
| 5. | <p><u>Speeches by Assistant Administrator or Staff.</u> Speeches prepared for delivery at civic functions and professional conferences and meetings.</p> | <p><u>Retention:</u></p> <p>a. <u>Record Copy.</u> Permanent.</p> <p>b. <u>Information Copies.</u> Retain 1 year.</p> <p><u>Disposition:</u></p> <p>a. <u>Record Copy.</u> Break file after presentation. Keep in office 5 year, then transfer to the FRC. Keep in FRC 5 years, then transfer to the National Archives in 5 year blocks.</p> <p>b. <u>Information Copies:</u> Destroy when 1 year old or sooner if no longer needed.</p> |

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| 6. | <p><u>Freedom of Information Response File.</u> Includes copies of incoming requests for information under the Freedom of Information Act, copies of replies, and copies of any interagency memoranda concerning the request. Note: this file does not contain the Program's official record of information being requested.</p> | <p><u>Retention:</u> Retain 2 years.</p> <p><u>Disposition:</u> Break file at end of year. Keep in Office current plus 1 additional year. Destroy when 2 years old.</p> |
| 7. | <p><u>Job Applications - Attorneys.</u> Solicited and unsolicited applications for jobs as attorneys in EPA. Records consist of letters requesting jobs, resumes and photos, and interview notes and comments.</p> | <p><u>Retention:</u> Retain 1 year after review and evaluations.</p> <p><u>Disposition:</u> Break file at end of 6 months. Keep in office 6 additional months, then destroy.</p> |
| <p><u>OTHER HEADQUARTERS ENFORCEMENT RECORDS</u></p> | | |
| 8. | <p><u>Development and Enforcement of Air and Water Standards by States.</u></p> <p>a. <u>Air.</u> Submission, progress, and status of clean air standards being enacted into law by States and Territories and submitted to EPA for review and approval. Records consist of letters requesting legal interpretations and opinions, copies of state acts or programs, regional office review and comments, and technical reviews.</p> <p>b. <u>Water.</u></p> <p>(1) Submission, progress, and status of clean water standards being enacted into law by States and Territories and submitted to EPA for review and approval. Records consist of letters requesting legal interpretations and opinions, copies of State acts or programs, regional office reviews and comments, and technical reviews. Letters to Governors approving action by State to clean up a water body, press releases, State publications on pollution control directions to industry, and summaries of State action.</p> <p>(2) Contains documents pertaining to the waterways within and bordered by the States, the industries within the States, activities of the States relative to the permit program, development of State clean water acts and agencies to monitor and enforce them, and cases referred by EPA to Justice Department for action.</p> | <p><u>Retention:</u> Retain 12 years after completion of program.</p> <p><u>Disposition:</u> Break file upon completion of program. Keep in office 1 additional year, then send to FRC. Destroy when 12 years old.</p> <p><u>Retention:</u> Retain 12 years after completion of program.</p> <p><u>Disposition:</u> Break file upon completion of program. Keep in office 1 additional year, then send to FRC. Destroy when 12 years old.</p> <p><u>Retention:</u> Permanent.</p> <p><u>Disposition:</u> Break file at the completion of or change in State Permit Programs. Keep in office 2 additional years, then send to FRC. Keep in FRC 15 years, then offer to the National Archives.</p> |

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| | <p>(3) Contains documents pertaining to the interim program for controlling water pollutants. Documents and data relating to statement of program, analysis of State laws, interim authorization, various programs and authorities, and statements from Attorney General.</p> | <p><u>Retention:</u> Retain 20 years.</p> <p><u>Disposition:</u> Break file upon completion of program. Keep in office 1 additional year, then transfer to FRC. Destroy when 20 years old.</p> |
| 9. | <p><u>Regulations.</u></p> <p>a. <u>Clean Air Act.</u> File contains documents and data relating to the entire Act, sections of the Act, and interpretations and implementation of the Act. Such data are presented in the form of memos, reports, newspaper and magazine articles, and correspondence. Subjects consists of meetings and agenda for meetings, notices of changes in sections of the Clean Air Act, and Notices of Proposed Rule changes relating to the Act.</p> | <p><u>Retention:</u> Retain 25 years.</p> <p><u>Disposition:</u> Break file at the end of 5 years. Keep in office 1 additional year, then send to FRC. Destroy when 25 years old.</p> |
| | <p>b. <u>Clean Water Act.</u></p> <p>(1) File contains documents and data relating to the entire Act, sections of the Act, and interpretations and implementation of the Act. Such data are presented in the form of memos, reports, newspapers and magazine articles and correspondence. Subjects consist of meetings and agenda for meetings, notices of changes in sections of the Clean Water Act and Notices of Proposed Rule changes relating to the Act.</p> | <p><u>Retention:</u> Retain 25 years.</p> <p><u>Disposition:</u> Break file at end of 5 years. Keep in office 1 additional year, then send to FRC. Destroy when 25 years old.</p> |
| | <p>(2) Contains documents relating to the development of the Refuse Act Permit Program and covers such items as the Permit Application Form and entry instructions, citizens assistance in program enforcement, plan for computer processing, philosophy of permit program, setting up conference hearings, developing standards, and correspondence and reports relative to the application and enforcement of the Refuse Act of 1899. Also, contains documents and data relative to complaints from States about pollution, response from offenders (polluters), notice of enforcement action, regional recommendations to file civil suit, checklists in support of abatement action, attempt to get offenders to file acceptable permits, litigation reports, and notices of legal action (to offender).</p> | <p><u>Retention:</u> Permanent.</p> <p><u>Disposition:</u> Break file after completion of action or termination of program. Keep in office 1 additional year, then send to FRC. Keep in FRC 15 years, then offer to the National Archives.</p> |

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| ITEM NO. | NAME AND DESCRIPTION OF RECORD/FILE | RETENTION PERIOD AND DISPOSITION |
| | <p>(3) Contains documents pertaining to EPA attempts to restrict pollution through the use of the Refuse Act. Records in file consist of such items as checklists in support of water pollution actions, summary factsheets, summaries of action of review committees, and Notices of proposed changes to the regulations.</p> <p>c. <u>Federal Insecticide, Fungicide, and Rodenticide Act.</u> File contains documents and data relating to the entire Act, sections of the Act, and interpretations and implementation of the Act. Such data are presented in the form of memos, reports, newspapers and magazines articles, and correspondence. Subjects consist of meetings and agenda for meetings, notice of changes in sections of the Act, and Notices of Proposed Rule changes relating to the Act.</p> <p>d. <u>Resource Conservation and Recovery Act of 1976.</u> File contains documents and data relating to the entire Act, sections of the Act, and interpretations and implementation of the Act. Such data are presented in the form of memos, reports, newspaper and magazine articles, and correspondence. Subjects consists of meetings and agenda for meetings, notices of changes in sections of the RCRA Act, and Notices of Proposed rule changes relating to the Act.</p> <p>e. <u>Comprehensive Environmental Response, Compensation, and Liability Act.</u> File contains documents and data relating to the entire Act, sections of the Act, and interpretations and implementation of the Act. Such data are presented in the form of memos, reports, newspapers and magazines articles, and correspondence. Subjects consists of meetings and agenda for meetings, notices of changes in sections of the CERCLA Act, and Notices of Proposed Rule changes relating to the Act.</p> <p>f. <u>Toxic Substances Control Act.</u> File contains documents and data relating to the entire Act, Sections of the Act and interpretations and implementation of the Act. Such data are presented in the form of memos, reports, newspapers and magazines articles and correspondence. Subjects consist of meetings and agenda for meetings, notices of changes in sections of the Act and Notices of Proposed Rule changes relating to the Act.</p> | <p><u>Retention:</u> Retain 10 years after completion of case.</p> <p><u>Disposition:</u> Break file upon completion of case. Keep in office 1 additional year, then send to FRC. Destroy when 10 years old.</p> <p><u>Retention:</u> Retain 25 years.</p> <p><u>Disposition:</u> Break file at end of 5 years. Keep in office 1 additional year, then send to FRC. Destroy when 25 years old.</p> <p><u>Retention:</u> Retain 25 years.</p> <p><u>Disposition:</u> Break file at the end of 5 years. Keep in office 1 additional year, then send to FRC. Destroy when 25 years old.</p> <p><u>Retention:</u> Retain 25 years.</p> <p><u>Disposition:</u> Break file at end of 5 years. Keep in office 1 additional year, then send to FRC. Destroy when 25 years old.</p> <p><u>Retention:</u> Retain 25 years.</p> <p><u>Disposition:</u> Break file at the end of 5 years. Keep in office 1 additional year, then send to FRC. Destroy when 25 years old.</p> |

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| 10. | <p><u>g. Other.</u> File contains documents and data relating to the entire Act, sections of the Act, and interpretations and implementation of the Act. Such data are presented in the form of memos, reports, newspaper and magazine articles, and correspondence. Subjects consists of meetings and agenda for meetings, notices of proposed changes to the regulations.</p> | <p><u>Retention:</u> Retain 25 years. <u>Disposition:</u> Break file at the end of 3 years. Keep in office 1 additional year, then send to FRC. Destroy when 25 years old.</p> |
| | <p><u>10. Enforcement.</u></p> | |
| | <p><u>a. Air.</u></p> | |
| | <p>(1) Contains documents pertaining to the interim program for controlling air pollutants. Documents and data relating to statements of program, analysis of State laws, interim authorization, various program and authorities, and statements from Attorney General.</p> | <p><u>Retention:</u> Retain 20 years. <u>Disposition:</u> Break file upon completion of program. Keep in office 1 additional year, then send to FRC. Destroy when 20 years old.</p> |
| | <p>(2) Contains documents pertaining to EPA's enforcement of industrial and municipal compliance with clean air regulations and standards. Documents include background study and surveillance reports, violation notices, press releases, and compliance orders.</p> | <p><u>Retention:</u> Permanent. <u>Disposition:</u> Break file upon the completion of actions. Keep in office 3 additional years, then send to FRC. Keep in FRC 15 years, then offer to the National Archives.</p> |
| | <p><u>b. Water.</u></p> | |
| | <p>(1) Contains documents pertaining to EPA's enforcement of industrial and municipal compliance with clean water regulations and standards. Documents include background study and surveillance reports, violation notices, press releases, and compliance reports.</p> | <p><u>Retention:</u> Permanent. <u>Disposition:</u> Break file upon the completion of action. Keep in office 3 additional years, then send to FRC. Keep in FRC 15 years, then offer to the National Archives.</p> |
| | <p>(2) Contains documents and data relating to the measurement of mercury in water, the effect of mercury in water, the effect of mercury on sea life, and its effect on consumers, controls to prevent polluting waters with mercury, and compliance by companies.</p> | <p><u>Retention:</u> Permanent. <u>Disposition:</u> Break file at the end of 4 years. Keep in office 2 additional years, then send to FRC. Keep in FRC 15 years, then offer to the National Archives.</p> |
| | <p>(3) Publications, textbooks, and similar reference data.</p> | <p><u>Retention:</u> None <u>Disposition:</u> Destroy or dispose of when record material has been sent to FRC.</p> |

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| | <p>c. <u>Hazardous Waste.</u></p> <p>(1) Contains documents pertaining to the compliance monitoring and enforcement program for controlling hazardous waste. Documents and data relating to state-ments of program, guidance, policies, strategies, analysis of state laws, interim and final authorities and statements of Attorney General.</p> <p>(2) Contains documents pertaining to EPA's enforce-ment of hazardous waste statutes, regulations, and standards. Documents include case development and liti-gation support files, background studies, legal documents, opinions, reports, attorney work product, surveillance reports violation notices and compliance orders.</p> <p>d. <u>Mobile.</u> Contains documents pertaining to the control of emissions from automobile engines. Documents and data relating to statement of program, analysis of statement of program, analysis of State laws, interim authorizations, various programs and authorities, and statements from Attorney General.</p> <p>e. <u>Pesticides.</u> Contains documents pertaining to the collection of pesticide samples, the laboratory analysis of the samples, the conformity of the packages and labeling to standards and sample content, discovery of violations, and enforcement of activities. File contains such records as sample collection reports, retailer's purchase orders from product shipment from which samples were taken, package labeling, lab analysis reports, case reviews, letters to manufacturers and charge sheets, and manu-facturer's replies.</p> | <p><u>Retention:</u> Retain 20 years.</p> <p><u>Disposition:</u> Break file upon completion of program. Keep in office 1 additional year, then send to FRC. Destroy when 20 years old.</p> <p><u>Retention:</u> Permanent.</p> <p><u>Disposition:</u> Break file upon completion of action or appeals, then send to FRC. Keep in FRC 15 years, then offer to the National Archives in 5 year blocks.</p> <p><u>Retention:</u> Retain 20 years.</p> <p><u>Disposition:</u> Break file upon completion or termination of case. Keep in office 1 additional year, then send to FRC. Destroy when 20 years old.</p> <p><u>Retention:</u> Destroy 8 years after completion.</p> <p><u>Disposition:</u> Break file upon completion or termination of case. Keep in office 1 additional year, then transfer to the FRC. Destroy when 8 years old.</p> |

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f. Toxic Substances.

(1) Contains documents pertaining to the compliance monitoring and enforcement program for controlling toxic substances. Documents and data relating to statements of program, guidance, policies, strategies, analysis of state laws, interim and final authorities and statements of Attorney General.

(2) Contains documents pertaining to EPA's enforcement of toxic substances statutes, regulations, and standards. Documents include case development and litigation support files, background studies, legal documents, opinions, reports, attorney work product, surveillance reports, violation notices and compliance orders.

Retention: Retain 20 years.

Disposition: Break file upon completion of program. Keep in office 1 additional year, then send to FRC. Destroy when 20 years old.

Retention: Permanent.

Disposition: Break file upon the completion of the action. Keep in office 3 additional years, then send to FRC. Keep in FRC 15 years, then offer to the National Archives in 5 year blocks.

11. Emission Control Program.

a. Guidelines File. Contains documents pertaining to the development, application, and suspension of guidelines and rules for better control of the emissions from automobile engines. File contains documents and data relating to the following:

(1) Advisory circulars (proposed EPA engine configuration requirements, application format for heavy duty engine certification, and duration of conformity certification);

(2) Ford Flap Maintenance VC 6 (vehicles transported under limited certificate, former President Ford's withdrawal of 1973 application for certification, and request for full certification reply to Justice Department);

(3) Ford Company CV 7 (former President Ford's disclosure of unauthorized maintenance and complaint for injunction and monetary relief); and

(4) Suspension guidelines (procedure for suspension of guidelines, manufacturer's request for public hearing, response to requests to make statement at public hearing, court order, and treatment of confidential information).

Retention: Retain 10 years.

Disposition: Break file at the end of 2 years. Keep in office 1 additional year, then send to FRC. Destroy when 10 years old.

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b. Program for Mobile Units File. Contains documents pertaining to the design and operation of programs for mobile units that are in production or are planned for production. File contains documents and data relating to the following:

- (1) Laboratory test and analysis (emission-gas content, evaluation, and comments);
- (2) Defect devices (policy relating to devices used to circumvent EPA regulations, violations, and penalty);
- (3) General and controlled correspondence (high altitude emission reports and discussions regarding change in standards and regulations); and
- (4) Suspension guidelines (background data on various automobile and engine manufacturing companies).

c. Vehicles or Motors Already in Use File. Contains documents pertaining to parts and alterations to vehicles or motors already in use. File contains documents and data relating to the following:

- (1) Advisory circulars (date on antitrust actions);
- (2) Clippings (ways to prevent air pollution);
- (3) Standards and test procedures (California exhaust emission tests);
- (4) Citizen correspondence (Federal Register, should exemption be made because of high altitude and environmental policy);
- (5) Recall investigations (recall of automobile by manufacturer for repair or alteration and General Motor's plan); and
- (6) State inspection systems regions (delegation of authority, role of region in enforcement, and organization).

12. a. Rulemaking File. Contains documents pertaining to rule-making for fuels. File contains documents and data relating to the following:

Retention: Retain 10 years.

Disposition: Break file at end of 2 years. Keep in office 1 additional year, then send to FRC. Destroy when 10 years old.

Retention: Retain 10 years.

Disposition: Break file at end of 2 years. Keep in office 1 additional year, then send to FRC. Destroy when 10 years old.

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(1) Fuel registration (lead regulations and National Resources Defense Council, test, health effect, methods, and hearings);

(2) Fuels (waste oil report, speech at gas tax conference, additive, composition, state inspection program, and small refiners); and

(3) Witnesses (list of witnesses and those waiting to testify).

b. Vehicles and Engines Imported for Sale/Use File. Contains documents pertaining to the development and application or regulations and standards governing vehicles and engines imported for sale/use. File contains documents and data relating to pending import admissions, customs rulings, import data systems, import exemption policy, import modifications and approvals, grey marketers, operation and approval of test vehicles, and exemptions and waivers.

Retention: Retain 10 years.

Disposition: Break file at the end of 2 years. Keep in office 1 additional year, then send to FRC. Destroy when 10 years old.

13. Import Declaration - Motor Vehicles File.

a. Importation of Motor Vehicle Engines. File consists of completed copies of form called "Importation of Motor Vehicle Engines Subject to Federal Pollution Control Regulation (EPA Form 3520-1)." Occasionally a Declaration of Conformity and copy of Health, Education, and Welfare regulations are attached to the EPA form. The EPA Form 3520-1 serves as a source document for the automated processing of motor vehicle import data.

Retention: Retain 12 months.

Disposition: Break file at end of month. Keep in office 12 additional months, then destroy.

b. Code Sheets for Import Declaration - "Moses" Code Sheets. File made up of the "Moses" Code Sheet (EPA HQ Form 178-3) which is used to make the coded data entries from the EPA Form 3520-1.

Retention: Retain 12 months.

Disposition: Break file at end of month. Keep in office 12 additional months, then destroy.

c. Imported Vehicle Identification Numbers. Contains listings of imported vehicle and engine numbers supplied by foreign manufacturers or U.S. distributors.

Retention: Retain 12 months.

Disposition: Break file at end of month. Keep in office 12 additional months, then destroy.

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d. Imported Vehicle Conformity Certification. Contains letters, affidavits, and invoices describing modifications to vehicles/engine, and certifying conformity of EPA standards. Also, contains agreement to export for re-sale or cancellation of order because of inability to make modifications.

Retention: Retain 2 years.
Disposition: Break file at the end of 2 years. Keep in office 2 additional years, then destroy.

14. Executive Order 11738 File. Includes records related to EPA implementation of the Order, which establishes a listing program for withholding Federal contracts, grants, or loans from air and water pollution facilities.

a. Policy Development Files. Includes general instructions and policy guidance records. Records consist of air compliance regulations, copies of the Executive Order, listing proceeding and hearing procedures, and general guidance for implementation of the regulations.

Retention: Permanent.
Disposition: Break file upon completion of the program. Keep in office 2 years, then send to FRC. Keep in FRC 15 years, then offer to the National Archives in 5 year blocks.

b. Listing or De-Listing Cases. Includes individual case actions and proceedings to list or de-list air and water pollution facilities on the Contractor Grantee Loan Program.

Retention: Retain 10 years.
Disposition: Break file upon termination of case. Keep in office 5 years, then send to FRC. Destroy when 10 years old.

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