

# Record Retention Schedules for Phase 2 Document Types

## 1. **Doc Type:** Short Term Permits

**Description:** A permit issued by the Director of Ohio EPA or its designee, including National Pollution Discharge Elimination System (NPDES) Permits, Open Burning Permits, Composting Permits, Scrap Tire Permits, Industrial/Municipal/Residential Solid Waste Landfill Permits, Solid Waste Incinerator Permits, and any supporting materials, to implement the requirements of environmental regulations.

**Confidential or Vital Record?:** No

**Retention Period:** 10 years

**Media:** Machine Readable

## 2. **Doc Type:** Intermediate Permits

**Description:** A permit issued by the Director of Ohio EPA or its designee, including Hazardous Waste Permits, Surface Water Permits to Install, Underground Injection Control Permits, 401 Water Quality Certifications, and any supporting materials, issued to implement the requirements of environmental regulations.

**Confidential or Vital Record?:** No

**Retention Period:** 15 years

**Media:** Machine Readable

## 3. **Doc Type:** Long Term Permits

**Description:** A permit issued by the Director of Ohio EPA or its designee, including Air Permits to Install, Air Permits to Install and Operate, Air Title IV and Title V Permits, Construction Demolition and Debris Landfill Permits, Landfill Permits to Install, and any supporting materials issued to implement the requirements of environmental regulations, such as Engineer Guides.

**Confidential or Vital Record?:** No

**Retention Period:** Permanent

**Media:** Machine Readable

## 4. **Doc Type:** Environmental Background Unit Investigation Statutory Criteria Report

**Description:** Statutory Criteria Report provided by the Environmental Background Investigation Unit to Ohio EPA pursuant to Ohio Revised Code 3734.40 through 3734.47.

**Confidential or Vital Record?:** Yes

**Retention Period:** 10 years

**Media:** Machine Readable

5. **Doc Type:** Trade Secret Confidentiality Claim

**Description:** Information submitted to Ohio EPA claiming an exemption from public disclosure as a trade secret pursuant to Ohio Revised Code 1333.61 and Ohio Administrative Code 3745-49-03.

**Confidential or Vital Record?:** Yes

**Retention Period:** Permanent

**Media:** Machine Readable

6. **Doc Type:** Non-permit Related Variances

**Description:** General variances, not related to a particular permit, issued by the Director of Ohio EPA, including application and supporting materials.

**Confidential or Vital Record?:** No

**Retention Period:** 20 years

**Media:** Machine Readable

7. **Doc Type:** Non-permit Related Exemptions

**Description:** General exemptions, not related to a particular permit, issued by the Director of Ohio EPA, including application and correspondence materials.

**Confidential or Vital Record?:** No

**Retention Period:** 20 years

**Media:** Machine Readable

8. **Doc Type:** Financial Assurance Documents

**Description:** All financial assurance instruments, including closure trust funds, surety bonds, letters of credit, closure insurance and any supporting documentation, cost estimates or other correspondence related to closure and post-closure of a solid or hazardous waste facility.

**Confidential or Vital Record?:** No

**Retention Period:** Permanent

**Media:** Machine Readable

9. **Doc Type:** Notification Documents from Regulated Entities

**Description:** Documents provided by a regulated entity notifying Ohio EPA of Compliance with Ohio environmental laws, including Cessation of Regulated Operations notifications, Asbestos Removal notifications, Notices of Intent to Fill, Handler

Notifications, MACT Notifications. This schedule does not include Permit related compliance notifications.

**Confidential or Vital Record?:** No

**Retention Period:** 15 years

**Media:** Machine Readable

10. **Doc Type:** Inspection and Compliance Review Documents

**Description:** Documentation of Ohio EPA's inspection of regulated facilities, including inspection reports, letters of compliance, sanitation surveys, inspection checklists, and other similar documents.

**Confidential or Vital Record?:** No

**Retention Period:** 15 years

**Media:** Machine Readable

11. **Doc Type:** Reports

**Description:** Compilations of data listed in annual or semi-annual reports, not including sampling data itself, such as the Toxic Release Inventory or similar style reports.

**Confidential or Vital Record?:** No

**Retention Period:** 5 years

**Media:** Machine Readable

12. **Doc Type:** Monitoring and Sampling Documents

**Description:** Laboratory and other raw data submitted by regulated entities to determine compliance with Ohio's environmental laws, for example, Discharge Monitoring Reports submitted to the Division of Surface Water. The monitoring and sampling also includes any quality assurance/quality control documentation and chain-of-custody reports.

**Confidential or Vital Record?:** No

**Retention Period:** 15 years

**Media:** Machine Readable

13. **Doc Type:** Ohio EPA Monitoring

**Description:** Raw data, lab reports, paper forms and log books, field work and other monitoring data collected by Ohio EPA employees or its designees to determine environmental conditions and compliance.

**Confidential or Vital Record?:** No

**Retention Period:** 10 years

**Media:** Machine Readable

14. **Doc Type:** Incident Reports

**Description:** Initial Pollution Incident Reports and supporting documentation.

**Confidential or Vital Record?:** No

**Retention Period:** 15 years

**Media:** Machine Readable

15. **Doc Type:** Investigation Reports

**Description:** District Office reports that document the Division of Environmental Response and Revitalization's investigation and findings of a potential release of a pollutant.

**Confidential or Vital Record?:** No

**Retention Period:** 15 Years

**Media:** Machine Readable

16. **Doc Type:** Internal Technical Review

**Description:** Internal technical review and assistance provided between agency programs.

**Confidential or Vital Record?:** No

**Retention Period:** 5 Years

**Media:** Machine Readable

17. **Doc Type:** General Correspondence

**Description:** Miscellaneous internal and external correspondence (letters, memos, etc.) between various Ohio EPA employees and regulated entities that is not related to another Ohio EPA document type.

**Confidential or Vital Record?:** No

**Retention Period:** 2 years

**Media:** Machine Readable

18. **Doc Type:** Attorney-Work Product

**Description:** Attorney's working reference materials, including case law, statutes, rules, general research memoranda, and other attorney work-product, including draft settlement documents (invitation letter, Director's Final Findings and Orders), draft rules, draft referral letters, and final enforcement referral packets to the Attorney General.

**Confidential or Vital Record?:** Yes

**Retention Period:** 15 years

**Media:** Machine Readable

19. **Doc Type:** Settlement Correspondence

**Description:** Invitation letter to negotiate settlement, proposed Director's Findings and Orders, civil penalty calculations, and any correspondence between Ohio EPA employees and regulated entities related to the settlement.

**Confidential or Vital Record?:** No

**Retention Period:** 15 years

**Media:** Machine Readable

20. **Doc Type:** Compliance and Enforcement Plans

**Description:** Compliance and Enforcement Plans submitted for Legal review, detailing a regulated entity's history of compliance and used in developing an enforcement referral against the entity. The Compliance and Enforcement Plan is continuously maintained and updated.

**Confidential or Vital Record?:** Yes

**Retention Period:** Permanent unless superceded

**Media:** Machine Readable

21. **Doc Type:** Referral Letter to Ohio Attorney General

**Description:** Letter from the Director of Ohio EPA to the Ohio Attorney General requesting the pursuit of civil or criminal proceedings against a regulated entity for violations of environmental laws and regulations.

**Confidential or Vital Record?:** No

**Retention Period:** 15 years

**Media:** Machine Readable

22. **Doc Type:** Remediation Response

**Description:** All long-term documentation related to the removal or remediation of hazardous or solid wastes from soils. Records include remediation and sampling plans, remedial action plans, removal actions, corrective action, urban setting designations, groundwater corrective measures plans, Ohio Administrative Code 3745-27-13 authorizations, and related correspondence.

**Confidential or Vital Record?:** No

**Retention Period:** Permanent

**Media:** Machine Readable

23. **Doc Type:** Assessment

**Description:** Risk Assessments and characterizations including Ohio EPA generated reviews, such as Environmental Impact Statements and Source Water Assessment and Protection Plans.

**Confidential or Vital Record?:** No

**Retention Period:** Permanent unless superceded

**Media:** Machine Readable

24. **Doc Type:** Covenants

**Description:** Documents restricting the use of real property, including Environmental Restrictive Covenants, Conservation Easements, Covenants Not to Sue, No Further Action Letters, and other institutional controls.

**Confidential or Vital Record?:** No

**Retention Period:** Permanent

**Media:** Machine Readable

25. **Doc Type:** Technical Assistance

**Description:** External requests for technical assistance and any related correspondence.

**Confidential or Vital Record?:** No

**Retention Period:** 10 years

**Media:** Machine Readable

26. **Doc Type:** Fees

**Description:** Invoices and other supporting documentation for fees related to disposal of solid and hazardous waste, permit applications, certifications, or licenses issued by the Ohio EPA, air emission fees, and other similar fees.

**Confidential or Vital Record?:** No

**Retention Period:** 5 years

**Media:** Machine Readable

27. **Doc Type:** Verified Complaints

**Description:** Verified Complaints received by the Ohio EPA pursuant to R.C. 3745.08, any subsequent response and investigation, and other corresponding materials.

**Confidential or Vital Record?:** No

**Retention Period:** 15 years

**Media:** Machine Readable

28. **Doc Type:** Cost Recovery-Emergency Response

**Description:** Billing, invoices and other supporting documents, including Ohio EPA employee time sheets and TAS records, for agency cost recovery related to site specific emergency response actions.

**Confidential or Vital Record?:** No

**Retention Period:** 15 years

**Media:** Machine Readable

29. **Doc Type:** Director's Authorizations

**Description:** Delegations of Responsibility, portable source relocation authorizations, time extensions, due date changes and other miscellaneous authorizations signed by the Director of Ohio EPA.

**Confidential or Vital Record?:** No

**Retention Period:** 10 years

**Media:** Machine Readable

### 30 **Doc Type: Adjudication Files**

**Description:** Case files containing all papers (e.g. hearing request, pleadings, briefs, transcripts, Hearing Examiner Report and Recommendation) submitted in connection with adjudicatory proceedings before the Ohio EPA.

**Confidential or Vital Record?:** No

**Retention Period:** 15 years

**Media:** Machine Readable