DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
ASSISTANT SECRETARY FOR THE ENVIRONMENT
DIVISION OF WASTE MANAGEMENT
HAZARDOUS WASTE SECTION

Program Records Retention and Disposition Schedule

The Program Records Retention and Disposition Schedule and retention periods governing the records series listed herein are hereby approved. In accordance with the provisions of Chapters 121 and 132 of the General Statutes of North Carolina, it is agreed that the records of the

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do not and will not have further official use or value for administrative, research, or reference purposes after the respective retention periods specified herein. The N.C. Department of Cultural Resources consents to the destruction or other disposition of these records in accordance with the retention and disposition instructions specified in this schedule. However, records subject to audit or those legally required for ongoing official proceedings must be retained until released from such audits or official proceedings, notwithstanding the instructions of this schedule.

The Department of Environment and Natural Resources and the Department of Cultural Resources agree that certain records series have minimal administrative, reference, or historical value. When the custodian of any official State records certifies to the Department of Cultural Resources that such records have no further use or value for official and administrative business and when the Department certifies that such records appear to have no further use or value for research or reference, then such records may be destroyed or otherwise disposed of by the agency having custody of them. As part of its program operations the Department of Environment and Natural Resources agrees to establish and enforce internal policies. The policy will specify how long those records must be retained and when they must be destroyed.

E-mail messages sent or received by Executive Branch agencies shall be retained for 10 years pursuant to Executive Order No. 18 (issued July 7, 2009 by Governor Beverly Perdue) and as set forth in G1 of the General Schedule for State Agency Records. Any E-mail messages requiring retention longer than 10 years, including those with permanent historical value, shall be designated with specific retention periods in this program records schedule. **Public records including electronic records not listed in this schedule or in the *General Schedule for State Agency Records* are not authorized to be destroyed. The**

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agrees to destroy, transfer or dispose of records in the manner and at the times specified herein. This schedule is to remain in effect until superseded.

APPROVAL RECOMMENDED

Mary Penny Thompson, Chief Records Officer,
And General Counsel/Assistant Secretary

Elizabeth Cannon, Chief
Hazardous Waste Section

Dexter Matthews, Director
Division of Waste Management

Robin Smith,
Assistant Secretary for the Environment

David Brook, Director
Division of Historical Resources

APPROVED

Dee Freeman, Secretary
Department of Environment and Natural Resources

Linda A. Carlisle, Secretary
Department of Cultural Resources

September 2, 2011

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ITEM 8105. HAZARDOUS WASTE AND U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA) PROGRAM ADMINISTRATIVE FILE.

Records in paper and electronic formats, including e-mail, concerning guidance from the U.S. Environmental Protection Agency (EPA) in the administration of the Section's programs. File includes applications (state applications for authorization of program elements from the EPA), rules and regulations, listing of staff qualifications, grant expenditure reports, correspondence, mid- and end-of-year evaluation reports from the EPA, policies and procedures, and other related records.

DISPOSITION INSTRUCTIONS: Retain in office electronic records permanently. Destroy in office paper records after 2 years if no litigation, claim, audit, or other official action involving the records has been initiated. If official action has been initiated, destroy in office after completion of action and resolution of issues involved.

ITEM 8106. HAZARDOUS WASTE FACILITIES FILE.

Records in paper and electronic formats, including e-mail, concerning correspondence and documents received and/or generated by the Hazardous Waste Section. File includes correspondence pertaining to permitting, corrective action, closure, groundwater, financial records, inspections, investigations, enforcement actions, general administrative documents, or any other related records pertaining to correspondence sent to the section. (Comply with applicable provisions of G.S. 132-1.7 regarding confidentiality of sensitive public security information.)

DISPOSITION INSTRUCTIONS: Retention of e-mail records in this series is governed by G1 of the General Schedule for State Agency Records, which requires that e-mail be retained for 10 years pursuant to Executive Order No. 18 issued July 7, 2009 by Governor Beverly Perdue. Transfer pertinent records to Facility Master File (Item 37166). Destroy in office remaining paper and electronic records after 2 year if no litigation, claim, audit, or other official action involving the records has been initiated. If official action has been initiated, destroy in office after completion of action and resolution of issues involved.

ITEM 37164. GENERAL ADMINISTRATIVE FILE.

Records in paper and electronic formats, including e-mail, of administrative records created by the section. File includes annual, biennial, and summary reports, correspondence, hazardous management plans, hazardous waste reports, itineraries, notices of fees and invoices, organizational records, policy manuals, regulations, and other related records. (Comply with applicable provisions of G.S. 132-1.7 regarding confidentiality of sensitive public security information.)

DISPOSITION INSTRUCTIONS: Retention of e-mail records in this series is governed by G1 of the General Schedule for State Agency Records, which requires that e-mail be retained for 10 years pursuant to Executive Order No. 18 issued July 7, 2009 by Governor Beverly Perdue. Transfer pertinent records to Facility Master File (Item 37166). Destroy in office remaining paper and electronic records if no litigation, claim, audit, or other official action involving the records has been initiated. If official action has been initiated, destroy in office after completion of action and resolution of issues involved.

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ITEM 37166. FACILITIES MASTER FILE.

Records in paper and electronic formats concerning active and inactive hazardous waste facilities. File includes permits and applications, blueprints, correspondence, inspection reports, groundwater analyses, notices of violations, annual reports, notifications that facilities have ceased operations, site plans, and other related records. (Comply with applicable provisions of G.S. 132-1.7 regarding confidentiality of sensitive public security information.)

DISPOSITION INSTRUCTIONS: Scan paper records in office. Retain in office electronic records permanently. Transfer paper records and corresponding indices to the State Records Center after 2 years if no litigation, claim, audit, or other official action involving the records has been initiated. If official action has been initiated, transfer to the State Records Center after completion of action and resolution of issues involved. Records will be held for agency in the State Records Center 20 additional years and then destroyed.

ITEM 37167. FACILITIES INDEX DATABASE (ELECTRONIC) FILE.

Electronic indices of facility files which have been scanned. File numbers, facility names, revision dates, and other related data are copied into this electronic file from optical disks.

DISPOSITION INSTRUCTIONS: Item discontinued. All records destroyed.

ITEM 37168. HISTORY REPORTS DATABASE (ELECTRONIC) FILE.

Electronic records concerning histories of hazardous waste sites. Facility names, addresses, status of facilities, and other related data are entered into this electronic file. (Electronic database systems are maintained by Assistant Director for Administration, Computer Systems Branch.)

DISPOSITION INSTRUCTIONS: Item discontinued. All records destroyed.

ITEM 37171. FREEDOM OF INFORMATION (FOI) FILE.

Requests in paper and electronic formats, including e-mail, for information received by the Hazardous Waste Section from private citizens, private businesses, and other public agencies. File also includes responses to requests.

DISPOSITION INSTRUCTIONS: Retention of e-mail records in this series is governed by G1 of the General Schedule for State Agency Records, which requires that e-mail be retained for 10 years pursuant to Executive Order No. 18 issued July 7, 2009 by Governor Beverly Perdue. Transfer pertinent records to Facility Master File (Item 37166). Destroy in office remaining paper and electronic records after 2 years if no litigation, claim, audit, or other official action involving the records has been initiated. If official action has been initiated, destroy in office after completion of action and resolution of issues involved.

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ITEM 37172. RULE AMENDMENTS AND REGULATORY DEVELOPMENT FILE.

Records in paper and electronic formats, including e-mail, pertaining to rule amendments and potential regulatory litigation. File includes correspondence, drafts of rules and regulation, proposed rules and amendments to hazardous waste management rules, transcripts of public hearings, and other related records.

DISPOSITION INSTRUCTIONS: Scan paper records in office. Retain in office electronic records permanently. Transfer paper records and corresponding indices to the State Records Center after 2 years if no litigation, claim, audit, or other official action involving the records has been initiated. If official action has been initiated, transfer to the State Records Center after completion of action and resolution of issues involved. Records will be held for agency in the State Records Center 20 additional years and then destroyed.

ITEM 37173. STATE AUTHORIZATIONS FILE.

Records concerning state applications for authorization of program elements from the Environmental Protection Agency. File includes applications, rules and regulations, listings of staff qualifications, and other related records.

DISPOSITION INSTRUCTIONS: Item discontinued. All records destroyed.

ITEM 37174. ADMINISTRATIVE WORD PROCESSING (ELECTRONIC) FILE.

Machine readable records concerning routine tasks and daily operations of the office. Electronic files include correspondence, itineraries, organizational charts, hazardous waste management plans, and other related records.

DISPOSITION INSTRUCTIONS: Item discontinued. All records destroyed.

ITEM 37175. CORRESPONDENCE TO FACILITIES FILE.

Reference copies of correspondence to hazardous waste facilities. (Official copies of records are maintained in Hazardous Waste Facilities Master File (Item 8106) in Authorization and Planning Branch.)

DISPOSITION INSTRUCTIONS: Item discontinued. All records destroyed.

ITEM 37179. HAZARDOUS WASTE SECTION CHIEF FILE.

Records in paper and electronic records, including e-mail, concerning regulatory interpretations, activities of the section, and other related subjects.

DISPOSITION INSTRUCTIONS: Retention of e-mail records in this series is governed by G1 of the General Schedule for State Agency Records, which requires that e-mail be retained for 10 years pursuant to Executive Order No. 18 issued July 7, 2009 by Governor Beverly Perdue. Transfer pertinent records to Facility Master File (Item 37166). Destroy in office remaining paper and electronic records after 2 years if no litigation, claim, audit, or other official action involving the records has been initiated. If official action has been initiated, destroy in office after completion of action and resolution of issues involved.

ITEM 37182. MEMORANDUMS FROM BRANCHES FILE.

Interoffice memorandums from branches of the section outlining activities with hazardous waste facilities, regulatory issues, and other related subjects.

DISPOSITION INSTRUCTIONS: Item discontinued. All records destroyed.

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ITEM 37186. CONFIDENTIAL BLUEPRINTS AND DRAWINGS FILE.

Reference copies of blueprints and drawings of hazardous waste facilities. File also includes descriptions of processes performed by facilities. (Comply with applicable provisions of G.S. 130A-304 and Article 24 of G.S. 66 regarding confidentiality of records.) (Official copies of records are maintained in Hazardous Waste Facilities Master File (Item 8106) in Authorization and Planning Branch.)

DISPOSITION INSTRUCTIONS: Item discontinued. All records destroyed.

ITEM 37187. CHRONOLOGICAL FILE.

Reference copies of outgoing correspondence written by employees of the branch.

DISPOSITION INSTRUCTIONS: Item discontinued. All records destroyed.

ITEM 37188. CLOSURES FILE.

Records in paper and electronic formats, including e-mail, concerning the closure activities at permitted and non-permitted hazardous waste facilities. File includes correspondence, closure certifications, plans and reviews, public notices, certificates of closure, and other related records. (Comply with applicable provisions of G.S. 132-1.7 regarding confidentiality of sensitive public security information.)

DISPOSITION INSTRUCTIONS: Retention of e-mail records in this series is governed by G1 of the General Schedule for State Agency Records, which requires that e-mail be retained for 10 years pursuant to Executive Order No. 18 issued July 7, 2009 by Governor Beverly Perdue. Transfer pertinent records to Facility Master File (Item 37166). Destroy in office remaining paper and electronic records after 2 years if no litigation, claim, audit, or other official action involving the records has been initiated. If official action has been initiated, destroy in office after completion of action and resolution of issues involved.

ITEM 37189. PERMITS FILE.

Records in paper and electronic formats, including e-mail, concerning storage, treatment, disposal, post-closure, and Hazardous and Solid Waste Amendments (HSWA) only permits or alternate mechanisms to post-closure permits issued to hazardous waste facilities in compliance with Resource Conservation and Recovery Act (RCRA) standards established by the U.S. Environmental Protection Agency (EPA). File includes permits, permit applications, alternative to post-closure permits, review checklists, notices of deficiencies, correspondence, and other related records.

DISPOSITION INSTRUCTIONS: Retention of e-mail records in this series is governed by G1 of the General Schedule for State Agency Records, which requires that e-mail be retained for 10 years pursuant to Executive Order No. 18 issued July 7, 2009 by Governor Beverly Perdue. Transfer pertinent records to Facility Master File (Item 37166). Destroy in office remaining paper and electronic records after 2 year if no litigation, claim, audit, or other official action involving the records has been initiated. If official action has been initiated, destroy in office after completion of action and resolution of issues involved.

ITEM 37190. NOTES OF CONVERSATIONS WITH POSSIBLE PERMITTEES FILE.

Records concerning conversations of meetings with possible hazardous waste facility permittees. File includes meeting notes, brochures, notes from other divisions of the department, and other related records.

DISPOSITION INSTRUCTIONS: Item discontinued. All records destroyed.

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ITEM 37191. RECORDS OF COMMUNICATIONS FILE.

Requests for information and interpretations of regulations from hazardous waste facilities and potential permittees.

DISPOSITION INSTRUCTIONS: Item discontinued. All records destroyed.

ITEM 37192. RESOURCE CONSERVATION AND RECOVERY ACT INFORMATION SYSTEM (RCRAINFO) DATABASE (ELECTRONIC) FILE.

Machine readable records concerning treatment, disposal, and post-closure permits issued to hazardous waste facilities. Facility names, permit numbers, capacities, and other related data are entered into this electronic file. (Electronic database systems are maintained by the Environmental Protection Agency at Research Triangle Park, NC, via State Information Processing Services (SIPS).)

DISPOSITION INSTRUCTIONS: Item discontinued. All records destroyed.

ITEM 37193. RULES AND REGULATIONS (DEVELOPMENT) FILE.

Correspondence and memorandums concerning the development of hazardous waste rules and regulations. File also includes drafts and proposed rules.

DISPOSITION INSTRUCTIONS: Item discontinued. All records destroyed.

ITEM 37194. WITHDRAWN PERMIT APPLICATIONS FILE.

Applications for treatment, disposal, and post-closure permits which have been withdrawn by applicants.

DISPOSITION INSTRUCTIONS: Item discontinued. All records destroyed.

ITEM 37195. CORRESPONDENCE TO FACILITIES FILE.

Reference copies of correspondence to hazardous waste facilities. (Official copies of records are maintained in Hazardous Waste Facilities Master File (Item 8106) in Authorization and Planning Branch.)

DISPOSITION INSTRUCTIONS: Item discontinued. All records destroyed.

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ITEM 37196. FINANCIAL ASSURANCE FILE.

Records in paper and electronic records, including e-mail, concerning financial assurance and liability coverage of hazardous waste management facilities for activities related to closure, post-closure, corrective actions, and financial responsibility. File includes tax forms, tax identification numbers, income statements, listings of assets, negotiable instruments, mechanisms for financial assurance and liability coverage, and other related data records. (Comply with applicable provisions of G.S. 132-1.1, 130A-304, and G.S. 66, Article 24 regarding confidentiality of records.)

DISPOSITION INSTRUCTIONS: Retention of e-mail records in this series is governed by G1 of the General Schedule for State Agency Records, which requires that e-mail be retained for 10 years pursuant to Executive Order No. 18 issued July 7, 2009 by Governor Beverly Perdue. Print electronic records and interfile with related paper records. Destroy in office electronic versions of records when reference value ends. Transfer paper records to the State Records Center 5 years if no litigation, claim, audit, or other official action involving the records has been initiated. If official action has been initiated, transfer to the State Records Center after completion of action and resolution of issues involved. Records will be held for agency in the State Records Center 20 additional years and then destroyed.

ITEM 37197. NOTICES OF VIOLATION FILE.

Reference copies of notices of violation sent to hazardous waste facilities. File also includes correspondence. Status of notices and enforcement actions and other related data are entered into Notices of Violation and Enforcement Actions Tracking Database (Electronic) File (Item 37198) and routinely updated. (Official copies of records are maintained in Hazardous Waste Facilities Master File (Item 8106) in Authorization and Planning Branch.)

DISPOSITION INSTRUCTIONS: Item discontinued. All records destroyed.

ITEM 37198. NOTICES OF VIOLATION AND ENFORCEMENT ACTIONS TRACKING DATABASE (ELECTRONIC) FILE.

Machine readable records concerning notices of violation and enforcement actions for hazardous waste facilities. Status of notices and enforcement actions and other related data are entered into this electronic file. (Electronic database systems are maintained by Assistant Director for Administration, Computer Systems Branch.)

DISPOSITION INSTRUCTIONS: Item discontinued. All records destroyed.

ITEM 37200. RESOURCE CONSERVATION AND RECOVERY ACT INFORMATION SYSTEM (RCRAINFO) DATABASE (ELECTRONIC) FILE.

Machine readable records concerning financial assurance and insurance of hazardous waste facilities for closure, post-closure, liability activities, and corrective actions. Company names, contacts' names, Environmental Protection Agency identification numbers, mechanisms for financial assurance, and other related data are entered into this electronic file. (Electronic database systems are maintained by the Environmental Protection Agency at Research Triangle Park, NC, via State Information Processing Services (SIPS).)

DISPOSITION INSTRUCTIONS: Item discontinued. All records destroyed.

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ITEM 37201. SAMPLING LOGS FILE.

Reference copies of logs listing results of analyses of samples (surface water, groundwater, etc.) from hazardous waste facilities. (Official copies of records are maintained in Hazardous Waste Facilities Master File (Item 8106) in Authorization and Planning Branch.)

DISPOSITION INSTRUCTIONS: Item discontinued. All records destroyed.

ITEM 37202. TECHNICAL ASSISTANCE FILE.

Records concerning technical assistance and regulatory interpretations provided to hazardous waste facilities. File includes policy manuals, regulations, and other related records.

DISPOSITION INSTRUCTIONS: Item discontinued. All records destroyed.

ITEM 37204. USED OIL WARNING LETTERS FILE.

Warning letters sent to individuals or companies who have spilled used oil. File also includes complaint letters and responses from violators.

DISPOSITION INSTRUCTIONS: Item discontinued. All records destroyed.

ITEM 49542. CORRECTIVE ACTION FILE.

Records in paper and electronic formats, including e-mail, concerning corrective action measures at permitted and non-permitted hazardous waste sites. File includes RCRA Facility Assessments (RFA), RCRA Facility Investigations (RFI), Corrective Measures Studies (CMS), Corrective Measures Implementation (CMI), RFI interim measures studies, remediation system effectiveness reports, Hazardous & Solid Waste Amendments (HSWA) remedies, and other related documents.

DISPOSITION INSTRUCTIONS: Retention of e-mail records in this series is governed by G1 of the General Schedule for State Agency Records, which requires that e-mail be retained for 10 years pursuant to Executive Order No. 18 issued July 7, 2009 by Governor Beverly Perdue. Transfer pertinent records to Facility Master File (Item 37166). Destroy remaining paper and electronic records after 2 years if no litigation, claim, audit, or other official action involving the records has been initiated. If official action has been initiated, destroy in office after completion of action and resolution of issues involved.

ITEM 49543. GROUNDWATER FILE.

Records in paper and electronic formats, including e-mail, concerning the monitoring of groundwater quality in and around permitted and non-permitted hazardous waste sites. File includes analytical reports, correspondence, groundwater monitoring reports, comprehensive monitoring evaluations, reports, site plans, and other related records.

DISPOSITION INSTRUCTIONS: Retention of e-mail records in this series is governed by G1 of the General Schedule for State Agency Records, which requires that e-mail be retained for 10 years pursuant to Executive Order No. 18 issued July 7, 2009 by Governor Beverly Perdue. Transfer pertinent records to Facility Master File (Item 37166). Destroy remaining paper and electronic records after 2 years if no litigation, claim, audit, or other official action involving the records has been initiated. If official action has been initiated, destroy in office after completion of action and resolution of issues involved.

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ITEM 49544. ENFORCEMENT FILE.

Records in paper and electronic formats, including e-mail, concerning enforcement of federal and state regulations of permitted and non-permitted hazardous waste sites. File includes administrative orders on consent, briefs, compliance orders, correspondence, immediate action notices of violation, notices of violation, settlement agreements, ticket notices of violations, and other related records. (Comply with applicable provisions of G.S. 132-1.4 regarding confidentiality of criminal investigations and criminal intelligence information.)

DISPOSITION INSTRUCTIONS: Retention of e-mail records in this series is governed by G1 of the General Schedule for State Agency Records, which requires that e-mail be retained for 10 years pursuant to Executive Order No. 18 issued July 7, 2009 by Governor Beverly Perdue. Transfer pertinent records to Facility Master File (Item 37166). Destroy remaining paper and electronic records after 2 years if no litigation, claim, audit, or other official action involving the records has been initiated. If official action has been initiated, destroy in office after completion of action and resolution of issues involved.

ITEM 49545. INSPECTION AND INVESTIGATION FILE.

Records in paper and electronic formats, including e-mail, concerning inspection and investigation of permitted and non-permitted hazardous waste sites. File includes briefs, case development inspections, compliance inspections, compliance investigations, correspondence, emergency response documents, investigative reports, and other related records. (Comply with applicable provisions of G.S. 132-1.4 regarding confidentiality of criminal investigations and criminal intelligence information.)

DISPOSITION INSTRUCTIONS: Retention of e-mail records in this series is governed by G1 of the General Schedule for State Agency Records, which requires that e-mail be retained for 10 years pursuant to Executive Order No. 18 issued July 7, 2009 by Governor Beverly Perdue. Transfer pertinent records to Facility Master File (Item 37166). Destroy remaining paper and electronic records after 2 years if no litigation, claim, audit, or other official action involving the records has been initiated. If official action has been initiated, destroy in office after completion of action and resolution of issues involved.