

REQUEST FOR AUTHORITY  
TO DISPOSE OF RECORDS

(See Instructions on Reverse)

LEAVE BLANK	
DATE RECEIVED OCT 21 1976	JOB NO NC 1-412-77-2
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 "with drawn" in column 10	
4-6-77 Date	<i>James B. Rhoads</i> Archivist of the United States

TO: GENERAL SERVICES ADMINISTRATION,  
NATIONAL ARCHIVES AND RECORDS SERVICE, WASHINGTON, D.C. 20408

1. FROM (AGENCY OR ESTABLISHMENT)

U. S. Environmental Protection Agency

2. MAJOR SUBDIVISION

Office of Administrative Law Judges

3. MINOR SUBDIVISION

4. NAME OF PERSON WITH WHOM TO CONFER

David O. Stephens

5. TEL EXT

755-0830

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 3 page(s) are not now needed for the business of this agency or will not be needed after the retention periods specified

10-20-76 *Harold R. Masters*  
(Date) Harold R. Masters  
(Signature of Agency Representative)

Chief, Administrative Management Br.  
(Title)

7. ITEM NO.	8. DESCRIPTION OF ITEM (With Inclusive Dates or Retention Periods)	9. SAMPLE OR JOB NO.	10. ACTION TAKEN
1-3	Series descriptions and retention and disposition instructions for Administrative Law Judges' Records. Items 1-3 are attached.		

*Copies sent to GAO NNF, all PAC, agency, NNS  
4/8/77 plw*

*6 items*

APPENDIX NUMBER

RECORDS MANAGEMENT TITLE

CHAPTER TITLE  
 RECORDS CONTROL SCHEDULES  
 GENERAL RECORDS

ADMINISTRATIVE LAW JUDGE

These records relate to formal adjudications before the Administrative Law Judge subject to the Administrative Procedure Act (5 U.S.C. 551 et. seq.). NOTE: The items in this schedule apply Agencywide.

Item	Name and Description of Record/File	Retention Period and Disposition
------	-------------------------------------	----------------------------------

1. Administrative Law Judges' Case Files.  
 Includes case records relating to formal adjudications before the Administrative Law Judge, under Section 551 of the Administrative Procedures Act. Cases consist of hearing concerning various environmental legislation including the Federal Water Pollution Control Act, the Federal Insecticide, Fungicide and Rodenticide Act, NPDES Permits, Civil Penalty cases, and others. Records consists of transcripts of hearings, briefs, exhibits, motions, notices, orders, and other related records. NOTE: NPDES permits and civil penalty cases are under custody of Regional hearing clerks in each region.

a. Official Copies.

Note: "Landmark" cases include cases resulting in a legal precedent which establishes or affirms Agency policy with respect to environmental actions of national importance, such as the banning of a hazardous substance or other actions affecting EPA's relationship with an entire industry or a major pollution source. These cases will usually have been adjudicated by a Federal appellate court.

Retention:

a. Routine Cases.  
 Retain 20 years after completion or termination of case.

b. Landmark Cases.  
 Permanent. (Cases designed by the EPA Administrator as landmark or precedent actions).

TN  
 ORIGINATOR:

PAGE NUMBER

CHAP  
 PAR

APPENDIX NUMBER

RECORDS MANAGEMENT  
TITLECHAPTER TITLE  
RECORDS CONTROL SCHEDULES  
GENERAL RECORDS

## ADMINISTRATIVE LAW JUDGE

These records relate to formal adjudications before the Administrative Law Judge subject to the Administrative Procedure Act (5 U.S.C. 551 et. seq.). NOTE: The items in this schedule apply Agencywide.

Item	Name and Description of Record/File	Retention Period and Disposition
------	-------------------------------------	----------------------------------

1. Administrative Law Judges' Case Files.  
Includes case records relating to formal adjudications before the Administrative Law Judge, under Section 551 of the Administrative Procedures Act. Cases consist of hearing concerning various environmental legislation including the Federal Water Pollution Control Act, the Federal Insecticide, Fungicide and Rodenticide Act, NPDES Permits, Civil Penalty cases, and others. Records consists of transcripts of hearings, briefs, exhibits, motions, notices, orders, and other related records. NOTE: NPDES permits and civil penalty cases are under custody of Regional hearing clerks in each region.

- a. Official Copies.

Retention:

- a. Routine Cases.  
Retain 20 years after completion or termination of case.

- b. Landmark Cases.  
Permanent. (Cases designed by the EPA Administrator as landmark or precedent actions).

TN  
ORIGINATOR:

PAGE NUMBER

CHAP  
PAR

MANUAL	CHAPTER NUMBER	
RECORDS MANAGEMENT TITLE	CHAPTER TITLE RECORDS CONTROL SCHEDULES GENERAL RECORDS	
Item	Name and Description of Record/File	Retention Period and Disposition
		<p>a. <u>Routine Cases.</u> Break file upon completion or termination of case. Keep in office 5 years, then transfer to the Federal Records Center. Keep in FRC for 15 years, then destroy.</p> <p>b. <u>Landmark Cases.</u> Break file upon completion or termination of case. Keep in office 10 years, then transfer to the Federal Records Center. Keep in FRC for 10 years, then offer to the National Archives.</p>
	b. <u>Duplicate Copies.</u>	<p><u>Retention:</u></p> <p>a. <u>Routine Cases.</u> Retain 5 years after completion or termination of case.</p> <p>b. <u>Landmark Cases.</u> Retain 10 years after completion or termination of case.</p>

CHAP  
PAR

PAGE NUMBER

TN  
DATE

EPA FORM 1315-1D(5-71)

APPENDIX B

MANUAL

CHAPTER TITLE  
 RECORDS CONTROL SCHEDULES  
 GENERAL RECORDS

RECORDS MANAGEMENT  
 TITLE

Item	Name and Description of Record/File	Retention Period and Disposition
		<p><u>Disposition:</u></p> <p>a. <u>Routine Cases.</u>                      Break file upon completion or termination of case. Keep in office 2 years, then transfer to the Federal Records Center. Keep in FRC for 3 years, then destroy.</p> <p>b. <u>Landmark Cases.</u>                      Break file upon completion or termination of case. Keep in office for 5 years, then transfer to the FRC. Keep in FRC for 5 years, then destroy.</p>
2.	<u>Case File Card Index.</u> Includes alphabetical and numerical card index to case records.	<p><u>Retention:</u> As below.</p> <p><u>Disposition:</u> Keep permanent in offices.</p>
3.	<u>Repository File.</u> Consist of copies of background documents to case files submitted by witnesses or other parties that are not a part of the official case record.	<p><u>Retention:</u> As below.</p> <p><u>Disposition:</u> Keep in office until completion or termination of case, then return to submitting party.</p>

TN

PAGE NUMBER

UNIT  
 PAR

DATE