

# **INACTIVE - ALL ITEMS SUPERSEDED OR OBSOLETE**

## **Schedule Number: NC1-412-85-02**

All items in this schedule are inactive. Items are either obsolete or have been superseded by newer NARA approved records schedules.

### **Description:**

Item 1 was superseded by N1-412-94-002 item 18 and N1-412-06-006 EPA Schedule 127

Item 2 was superseded by N1-412-94-006 item 2

Item 3 was superseded by N1-412-94-002 item 3 and N1-412-06-006 EPA Schedule 106

Item 4 is non-record convenience copies

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

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

1 FROM (AGENCY OR ESTABLISHMENT)  
 Environmental Protection Agency

2 MAJOR SUBDIVISION  
 Office of the Administrative Law Judges

3 MINOR SUBDIVISION

4 NAME OF PERSON WITH WHOM TO CONFER

Tom Tasker

5 TEL EXT

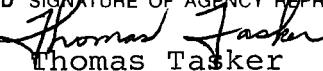
382-5911

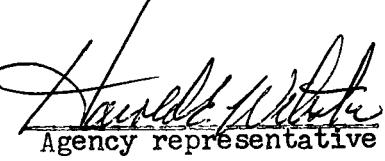
6 CERTIFICATE OF AGENCY REPRESENTATIVE

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 4 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	D SIGNATURE OF AGENCY REPRESENTATIVE	E TITLE
12/19/84	 Thomas Tasker	Agency Records Management Officer

7 ITEM NO	8 DESCRIPTION OF ITEM (With Inclusive Dates or Retention Periods)	9 SAMPLE OR JOB NO	10 ACTION TAKEN
1 - 9	<p>The Administrative Law Judge's 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.</p> <p>Attached is a copy of the revised Administrative Law Judge's Records Control Schedule.</p> <p>All changes to this proposed schedule have been approved by:</p> <p> Carmelita S. Ryan NARA appraiser</p> <p> Harold White Agency representative</p>	Appendix B Schedule 24	

115-107  
 copies sent to EPA and NNF 1/30/86 CSK

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JOB NO	NCL-412-85-2
DATE RECEIVED	12-28-84
NOTIFICATION TO AGENCY	
In accordance with the provisions of 44 USC 3303a the disposal request, including amendments, is approved except for items that may be stamped "disposal not approved" or "withdrawn" in column 10	
6-27-86	 Frank S. Bunn Archivist of the United States

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

SCHED. NO.

## TITLE OF SCHEDULE

ADMINISTRATIVE LAW JUDGE'S RECORDS

## COVERAGE OF SCHEDULE

AGENCYWIDE

ITEM NO.	NAME AND DESCRIPTION OF RECORD/FILE	RETENTION PERIOD AND DISPOSITION
1.	<u>General Correspondence of the Administrative Law Judge.</u> Includes copies of non-controlled (routine) correspondence. Records consist of incoming letters and enclosures.	<u>Retention:</u> Retain 5 years.  <u>Disposition:</u> Break file at end of year. Keep in office 1 year, then transfer to FRC. Destroy when 5 years old. years old.
2.	<u>Program Development File.</u> Consists of records related to the development of Administrative Law Judge's 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.	<u>Retention:</u> Permanent.  <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 <del>in 5 year blocks</del> .
3.	<u>Program Management File.</u> Consists of records related to the management and administrative support of the Office of the Administrative Law Judge. Records consist of program planning and implementation, personnel needs, work accomplishments, budgetary materials, and other program management activities.	<u>Retention:</u> Retain 5 years.  <u>Disposition:</u> Break file at end of year. Keep in office 1 year, then transfer to the FRC. Destroy when 5 years old.
4.	<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.	<u>Retention:</u> Retain <del>X</del> years.  <u>Disposition:</u> Break file at end of year. Keep in office current plus 1 additional year. <del>then transfer to the FRC.</del> Destroy when <del>X</del> years old.
5.	<u>Administrative Law Judge's Case Files.</u> 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 consist 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.	<u>2</u>

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

SCHED NC

TITLE OF SCHEDULE  
ADMINISTRATIVE LAW JUDGE'S RECORDSCOVERAGE OF SCHEDULE  
AGENCYWIDE

ITEM NO	NAME AND DESCRIPTION OF RECORD/FILE	RETENTION PERIOD AND DISPOSITION
	<p>a. <u>Official Copies.</u> NOTE: "Landmark" cases include <del>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.</del></p> <p>b. <u>Duplicate Copies.</u></p>	<p><u>Retention:</u></p> <p>a. <u>Routine Cases.</u> Retain 20 years after completion or termination of case.</p> <p>b. <u>Landmark Cases.</u> (Cases designed by the EPA Administrator as landmark or precedent actions).</p> <p><u>Disposition:</u></p> <p>a. <u>Routine Cases.</u> Break file upon completion or termination of case. Keep in office 5 years, then transfer to the Federal Record 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> <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> <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 2 years, then transfer to the Federal Record Center. Keep in FRC for 8 years, then destroy.</p>

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

SCHED NO

TITLE OF SCHEDULE		COVERAGE OF SCHEDULE
ADMINISTRATIVE LAW JUDGE'S RECORDS		AGENCYWIDE
ITEM NO	NAME AND DESCRIPTION OF RECORD/FILE	RETENTION PERIOD AND DISPOSITION
6.	<u>Case File Card Index.</u> Includes alphabetical and case records.	<u>Retention:</u> As below. numerical card index to <u>Disposition:</u> Keep permanent in offices.
7.	<u>Repository File.</u> Consist of copies of background documents to case files submitted by witnesses or other parties that are not part of the official case record.	<u>Retention:</u> As below. <u>Disposition:</u> Keep in office until completion or termination of case, then return to submitting party.