



# LIBRARY OF VIRGINIA

Archives, Records, and Collections Services  
800 E. Broad St., Richmond VA 23219  
(804) 692-3600

## RECORDS RETENTION AND DISPOSITION SCHEDULE SPECIFIC SCHEDULE NO. 440-006 Environmental Quality, Dept. of Land Protection and Revitalization, Division of Hazardous Waste

The schedule on the attached page(s) is approved with agreement to follow the records retention and disposition policies listed below:

### AGENCY APPROVAL

AGENCY HEAD OR DEPUTY

*Valerie E. Jones*

AGENCY RECORDS OFFICER

*Joy M. Gutschall*

### STATE APPROVAL

STATE ARCHIVIST

*Sandra G. Treodway*

COMPTROLLER OR DEPUTY

EFFECTIVE SCHEDULE DATE: 10/12/2017

### POLICIES FOR RECORDS RETENTION AND DISPOSITION

1. This schedule is continuing authority under the provisions of the Virginia Public Records Act, § 42.1-76, et seq. of the Code of Virginia for the retention and disposition of the records as stated on the attached page(s).
2. This schedule supersedes previously approved applicable schedules.
3. This schedule is used in conjunction with the Certificate of Records Destruction (RM-3 Form). A signed RM-3 Form must be approved by the designated records officer and on file in the agency or locality before records can be destroyed. After the records are destroyed, the original signed RM-3 Form must be sent to Library of Virginia (LVA).
4. Any records created prior to 1913 must be offered, in writing, to LVA before applying these disposition instructions. Offered records can be destroyed 60 days after date of the offer if no response is received from LVA. A copy of the offer must be attached to the RM-3 Form when it is submitted to LVA.
5. All known audits and audit discrepancies regarding the listed records must be settled before the records can be destroyed.
6. All known investigations or court cases involving the listed records must be resolved before the records can be destroyed. Knowledge of subpoenas, investigations, or litigation that reasonably may involve the listed records suspends any disposal or reformatting processes until all issues are resolved.

7. The retentions and dispositions listed on the attached page(s) apply regardless of physical format, i.e., paper, microfilm, electronic storage, optical imaging, etc. Unless prohibited by law, records may be reformatted at agency or locality discretion. Microfilming must be done in accordance with 17VAC15-20-10, et seq. of the Virginia Administrative Code, "Standards for the Microfilming of Public Records for Archival Retention." All records must be accessible throughout their retention period in analog or digital format. Whether the required preservation is through prolongation of appropriate hardware and/or software, reformatting, or migration, it is the obligation of the agency or locality to do so.
8. Custodians of records must ensure that information in confidential or privacy-protected records is protected from unauthorized disclosure through the ultimate destruction of the information. Ultimate destruction is accomplished through shredding, pulping, burning, and overwriting or physically destroying media. Deletion of confidential or privacy-protected information in computer files or other electronic storage media is not acceptable. Records containing Social Security numbers must be destroyed in compliance with 17VAC15-120-30.
9. Under the Virginia Public Records Act, § 42.1-79, LVA is the official custodian and trustee of all state agency records transferred to the Archives, Library of Virginia. LVA may purge select records in accordance with professional archival practices in order to ensure efficient access.
10. Unless otherwise directed, files are closed out at the end of each calendar or fiscal year as appropriate. Retention periods start at that time.



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RECORD SERIES AND DESCRIPTION	SERIES NUMBER	SCHEDULED RETENTION PERIOD	DISPOSITION METHOD
<u>Hazardous Waste Annual Report (Transporter)</u>  This series documents hazardous waste transportation activities. This series may include, but is not limited to: annual reports submitted by permitted transporters.	006140	0 Years after submission	Non-confidential Destruction
<u>Hazardous Waste Biennial Reports</u>  This series documents the activity of hazardous waste generators, and treatment, storage, and disposal facilities as contained in a report required under the Virginia Hazardous Waste Management Regulations to be submitted by March 1 of every even numbered year regarding the nature, quantity and disposition of hazardous waste generated at their facility. This series may include, but is not limited to: forms, the facility's EPA identification number, facility name and address, quantity and nature of the hazardous waste generated, and whether the hazardous waste was sent for recycling, treatment, storage or disposal.	200621	6 Years after event	Non-confidential Destruction
<u>Hazardous Waste Emergency Permits</u>  This series documents the application for and issuance of short-term, one-time Hazardous Waste Emergency Permits. This series may include, but is not limited to: Permits and applications.	006146	5 Years after event	Non-confidential Destruction
<u>Hazardous Waste Facility Corrective Action</u>  This series documents the completion of corrective actions under the Resource Conservation and Recovery Act (RCRA). This series may include, but is not limited to: plans, collected data, reports, and correspondence. 40CFR Part 264.101. 40CFR264.101	006142	40 Years after event	Non-confidential Destruction



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<u>Hazardous Waste Facility Groundwater Annual Reports</u>  This series documents a waste management facility's analytical results submitted on an annual basis. This series may include, but is not limited to: annual groundwater monitoring reports. 40CFR264, Subpart F, and 40CFR265, Subpart F. 40CFR265 Subpart F; 40CFR264 Subpart F	006144	10 Years after end of calendar year	Non-confidential Destruction
<u>Hazardous Waste Facility Groundwater Records</u>  This series documents groundwater monitoring and compliance with Virginia Hazardous Waste Management Regulations (VHWMR) at hazardous waste management facilities. This series may include, but is not limited to: annual reports, groundwater monitoring plans, and collected data. 40CFR264, Subpart F, and Part 265, Subpart F. 40CFR265 Subpart F; 40CFR264 Subpart F	006143	10 Years after end of calendar year	Non-confidential Destruction
<u>Hazardous Waste Facility Permits and Closures</u>  This series documents the permitting and closure of hazardous waste management facilities. This series may include, but is not limited to: permits, permit applications, post-closure permit applications, notices of deficiencies (NOD) and responses thereto, public notices, and closure plans. 40CFR264, Subpart G, and part 265, Subpart G. 40CFR264, Subpart G, P265, G	006141	40 Years after equipment, facility, or property sold or no longer in use	Non-confidential Destruction



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<u>Hazardous Waste Handlers Compliance Files for Permitted and Un-Permitted Facilities</u>  This series documents of the compliance status of a hazardous waste handler's facility design, construction, maintenance, operation, and environmental monitoring (gas, soil, and ground/surface water) according to the Virginia Hazardous Waste Management Regulations (VHWMR) and the Virginia Waste Management Act (VWMA). This series may include, but is not limited to: correspondence, reports, plans (environmental, health and safety, etc.) and plan sheets, compliance inspections and documentation, investigation and verification of complaints, corrective actions, cleanup and closure reports, enforcement documentation, photographs, monitoring data and reports, and ground water reports for facilities with or without US EPA ID numbers.	009535	10 Years after event	Non-confidential Destruction
<u>Hazardous Waste Notification of RCRA Subtitle C Activity Forms</u>  This series documents compliance of any person who generates, transports, or recycles regulated wastes or who owns or operates a facility for the treatment, storage or disposal of regulated wastes with the Virginia Waste Management Act, Virginia Hazardous Waste Management Regulations, and EPA regulations. This information is used to determine the universe of facilities that are regulated and to assign an EPA identification number. This series may include, but is not limited to: Notification of RCRA Subtitle C Regulated Waste Activity Forms (EPA Form 8700-12).	200622		Permanent, In Agency



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<u>Hazardous Waste RCRAInfo Forms</u>  This series documents compliance with RCRAInfo, the EPA's national program management and inventory system that contains information about hazardous waste handlers, treaters, storers, and disposers of hazardous waste. DEQ is required by EPA to enter this data into RCRAInfo as a condition of the Federal grant funding that is received for the hazardous waste program. This series may include, but is not limited to: RCRAInfo forms.	200623	10 Years after creation	Confidential Destruction
<u>Hazardous Waste Transporter Permits</u>  This series documents the permitting of hazardous waste transport firms. This series may include, but is not limited to: permits, application forms, and correspondence relating to permit issuance, re-issuance and revocation, renewal, and termination and invalidation.	006145	0 Years after last action	Non-confidential Destruction