

STATE OF ALASKA

RECORDS RETENTION SCHEDULE

Department of Environmental Conservation
Division of Spill Prevention and Response

Authority: Under AS 40.21.060(4) and AS 40.21.110, the agency shall retain and otherwise manage records in accordance with this schedule.

If this schedule does not cover a record, the agency shall retain and otherwise manage records in accordance with the most current *State of Alaska General Administrative Records Retention Schedules*. If this schedule and the *General Administrative Records Retention Schedules* do not cover a record, the agency must obtain approval to dispose of the record from the Records and Information Management Service.

Disposition: The agency may not destroy permanent records. Notwithstanding any retention period in this schedule or the *Alaska General Records Retention Schedules*, the agency must retain records relevant to ongoing or foreseeable investigations, audits or lawsuits, or responsive to a pending public records request.

Archival Value: Under AS 40.21.030(a)(3), the State Archivist may review for permanent retention all records with potential permanent legal or historical value. All records created prior to 1960 must be retained for review by the Alaska State Archives. This retention schedule does not authorize the transfer of records to any repository other than the Alaska State Archives (AS 40.21.030).

Format and Media: Under AS 40.21.150(6), the retention periods listed on this schedule apply to all electronic and non-electronic records. The agency may store a record in any format as long as the record remains readable and accessible for its retention period. See 4 AAC 59.005.

Accordingly, the agency must, as necessary, periodically update storage media, adopt migration strategies, and implement security plans. Backups produced for data recovery purposes do not serve a recordkeeping function or substitute for archived business essential duplicates.

Essential Designation: Under AS 40.21.060, the agency shall identify, segregate and protect essential records vital to the continuing operation of the agency in the event of natural or man-made disasters. See 4 AAC 59.005(a)(8) and 4 AAC 59.010(5)(E).

Copies: Do not retain copies preserved for convenience or for business essential or data recovery purposes for longer than the retention period of the record copy. See AS 40.21.150(6).

Supersedence: This schedule supersedes: 18-419.2, Industry Preparedness Program; 18-636.1, Prevention & Emergency Response; 18-640.1, Contaminated Sites; 18-667.1, Response Fund Administration.

Pursuant to the provisions of AS 40.21.030 (b)(10) and 4 AAC 59.005, the records listed on this schedule are approved for retention and disposition as indicated.	Agency CEO/ Division Director	Date:	
	<i>Original signature held on file.</i>	2/6/2017	
	Kristin Ryan, Director, Div. of Spill Prevention and Response, Dept. of Environmental Conservation		
Attorney General/Designee	Date:	Commissioner of Administration/Designee	Date:
<i>Original signature held on file.</i>	5/25/2017	<i>Original signature held on file.</i>	2/25/2017
Alan Birnbaum, Chief Assistant Attorney General, Department of Law		Scot Arehart, Director, Division of Finance, Department of Administration	
State Archivist	Date:	Records Analyst	Date:
<i>Original signature held on file.</i>	3/8/2017	<i>Original signature held on file.</i>	3/8/2017
Zach Jones, Acting State Archivist		Karen Gray, State Records Manager	

Department of Environmental Conservation, Division of Spill Prevention and Response (SPAR)

Item #	Record Series Title and Description	Retention	Essential	Retention Notes
1	<p>Spills Cleanup Case Records</p> <p>This record series is an administrative record documenting cleanup actions resulting from a spill or discharge of oil or hazardous substance to the land or waters of the State.</p> <p>This series may include, but is not limited to: spill reports, investigation and cleanup reports, correspondence, cleanup verifications, approval letters, and compliance/enforcement records, and cost recovery information.</p>	20		<p>Retain case files in office for 20 years after case closed, barring any legal hold on records, or historical significance.</p> <p>Spills that are considered "First and Final" are addressed in Item 002.</p>
2	<p>First and Final Spills Cases</p> <p>This record series may include, but is not limited to, spill report and supporting documentation for spill cases where the cost recovery process was not initiated.</p>	2		<p>Dispose of record two years after case is assigned a status of "case closed with no further action", and barring any legal hold on records, or historical significance.</p>

Inactive Records may be transferred to an approved records center at any time. Complete a Records Transfer List (RTL) and submit to your Records Officer for approval.

SPAR Director reserves the right to determine select documents or media of historical significance that merit potential permanent retention in coordination with State Archivist.

Item #	Record Series Title and Description	Retention	Essential	Retention Notes
3	<p>Industry Plans</p> <p>This records series may include, but is not limited to:</p> <ul style="list-style-type: none"> • two plan cycles of the most recent plans and supporting review documents, and • all plan cycles for decision documents, prevention components and reports, compliance/enforcement actions, drills, and inspections. <p>Oil discharge prevention and contingency plans are required under AS 46.04.030, 46.04.047, and 46.04.055. Plans must be renewed every five years (AS 46.04.030(d)). Inspections are conducted in accordance with 18 AAC 75.480 and drills conducted in accordance with 18 AAC 75.485.</p> <p>Each record will include at least one expired version of the plan.</p>	5		<p>Dispose of record five years after facility is no longer operating, and barring any legal hold on records, or historical significance.</p> <p>Nontank Vessel Streamlined Plans are addressed under Item # 004.</p>
4	<p>Nontank Vessel Streamlined Plans</p> <p>This record series may include, but is not limited to, nontank vessel streamlined plans, applications, vessel diagrams, approval documents, inspection and compliance/enforcement actions.</p> <p>Oil discharge prevention and contingency plans for nontank vessels are required under AS 46.04.055(f). Plans must be renewed every five years (AS 46.04.030(d)).</p>	1		<p>Dispose of record one year after plan is revoked, voluntarily terminated or expired, barring any legal hold on records, or historical significance.</p> <p>Nontank vessel Equivalent plans are addressed under Item #003.</p>

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5	<p>Contaminated Sites</p> <p>This record series includes, but is not limited to, correspondence, work plans, reports, analytical data, decision documents, and institutional controls for sites regulated under the Site Cleanup Rules in 18 AAC 75, Article 3, or the Leaking Underground Storage Tank rules in 18 AAC 78, Article 2, or a federal environmental cleanup law.</p>	30		Dispose of records 30 years after the site reaches cleanup complete status, informational status, non-qualifying status, or unconfirmed status, and barring any legal hold on records, or historical significance.
6	<p>Underground Storage Tanks (UST)</p> <p>This record series may include, but is not limited to, checklists, applications, approval documents, supporting documentation, checklists, reports, correspondence, and compliance/enforcement actions for: UST registration, installation, operation and maintenance, cleanup, and inspection, UST operator training and certification documents, and proof of financial responsibility.</p> <p>Underground Storage Tank requirements are listed under 18 AAC 78. UST operator certification is required under 18 AAC 78.400.</p>	30		<p>Dispose of records 30 years after underground storage tank site reaches cleanup complete status, informational status, non-qualifying status, or unconfirmed status, and barring any legal hold on records, or historical significance. Contaminated Sites Program (EPA UST Grant Manager) has lead responsibility to ensure all records, including financial responsibility are maintained.</p> <p>Proof of UST financial responsibility is required under 18 AAC 78.910.</p>

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7	<p>Proof of Financial Responsibility</p> <p>This record series may include, but is not limited to, applications, checklists, supporting documentation, correspondence, approval documents, and compliance/enforcement actions.</p> <p>Proof of financial responsibility is required under AS 46.04.040, 46.04.047, and 46.04.055. Proof of financial responsibility must be renewed per AS 46.04.040(f).</p> <p>This record series does not include financial responsibility for nontank vessels or regulated underground storage tank facilities.</p>	10		Dispose of record 10 years after approval is revoked, voluntarily terminated, expired, facility is no longer in operation, or applicant company is no longer in business, and barring any legal hold, or historical significance.
8	<p>Proof of Financial Responsibility Nontank Vessels</p> <p>This record series may include, but is not limited to, applications, checklists, supporting documentation, correspondence, approval documents, and compliance/enforcement actions.</p> <p>Proof of nontank vessel financial responsibility is required under AS 46.04.055. Proof of financial responsibility must be renewed per AS 46.04.040(f).</p> <p>This record series only includes financial responsibility for nontank vessels.</p>	2		Dispose of record two years after approval is revoked, voluntarily terminated, or expired, and barring any legal hold on records, or historical significance.

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Item #	Record Series Title and Description	Retention	Essential	Retention Notes
9	<p>Nontank Vessel Cleanup Contractors, Incident Management Teams, and Response Planning Facilitators Registration</p> <p>This record series may include, but is not limited to, nontank vessel Cleanup Contractors, Incident Management Teams, and Response Planning Facilitators registration application, approval documents, correspondence, minimum registration standards documentation, compliance/enforcement, inspection and exercise material.</p> <p>Nontank vessel Cleanup Contractors, Incident Management Teams, and Response Planning Facilitators registration is required under 18 AAC 75.501.</p>	1		Dispose of record one year after registration approval is denied, revoked, is voluntarily terminated, and barring any legal hold on records, or historical significance.
10	<p>Primary Response Action Contractors (PRAC) Registration</p> <p>This record series may include, but is not limited to, the registration application and supporting documentation per 18 AAC 75.530, approval documents, correspondence, compliance, and other documents required under 18 AAC 75.560.</p> <p>PRAC registration is required under 18 AAC 75.510. PRAC registration must be renewed every three years (18 AAC 75.520(a)).</p>	5		Dispose of record five years after registration approval is denied, revoked, voluntarily terminated, or expires, and barring any legal hold on record, or historical significance.

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Item #	Record Series Title and Description	Retention	Essential	Retention Notes
11	<p>Nontank Vessel Financial Responsibility Database</p> <p>Record series is a database containing financial responsibility information for regulated nontank vessels and railroad tank cars.</p>	Permanent		Retain records permanently in office.
12	<p>Financial Responsibility Database</p> <p>Records series is a database containing financial responsibility information for regulated oil terminals, pipelines, offshore facilities, exploration and production facilities, refineries, tank vessels, and oil barges.</p>	Permanent		Retain records permanently in office.
13	<p>C-Plan Database</p> <p>Records series is a database containing regulated facility information for, including, but not limited to, refineries, terminals, pipelines, exploration and production facilities, tankers, and barges.</p>	Permanent		Retain records permanently in office.
14	<p>Nontank Vessel Database</p> <p>Record series is a database containing information for nontank vessel streamlined plans.</p>	Permanent		Retain records permanently in office.
15	<p>Spills Database</p> <p>Record series is a database containing information for each reported spill.</p>	Permanent		Retain records permanently in office.

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16	<p>Contaminated Sites Database</p> <p>Record series is a database containing information on Regulated contaminated sites.</p>	Permanent		Retain records permanently in office.
17	<p>UST Database</p> <p>Records series is a database containing facility and financial responsibility information for regulated Underground Storage Tanks and Leaking Underground Storage Tank facilities.</p>	Permanent		Retain records permanently in office.
18	<p>Illegal Drug Manufacturing Sites</p> <p>This record series may include, but is not limited to: documents, correspondence, lists, and databases as identified in AS 46.03.500.</p>	5		Dispose of record five years after the fit for use determination is made by the DEC under AS 46.03.550, and barring any legal hold on records, or historical significance.
19	<p>Federal/State Preparedness Plan for Response to Oil and Hazardous Substances Discharge/Releases (Unified Plan, and Federal/State Subarea Contingency Plans for Oil and Hazardous Substance Spills and Releases (Subarea Plans)</p> <p>This record series may include, but is not limited to, master copy of the original plan, initial and public review drafts, any formal changes/revisions, distribution lists, public review comments, and formal replies.</p>	Permanent		Retain records permanently in office. Retention of these plans are directed by both State statute and federal regulations.

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20	<p>Tier Two Emergency and Hazardous Chemical Inventory</p> <p>This records series may include, but is not limited to, all hard copy documents related to the annual submittal requirements under AS 29.35.500. The record will include the most recent five years of annual submittals.</p>	5		Dispose of annual submittals five years from the annual submittal date of March 1, and barring any legal hold on records, or historical significance.
21	<p>Cost Recovery Records</p> <p>This record series may include, but is not limited to, site/case files: correspondence, cost documents, capital and operating budget information, travel documents, Notice to Proceeds, RSA and administrative documents, copies of payment checks, site logs, and time sheets as required under 18 AAC 75.910.</p>	20		Dispose of record 20 years after administrative need is met, barring any legal hold on records, or historical significance.

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