

SCHEDULE NO. 25

ENVIRONMENTAL RECORDS

General Description: Records relating to compliance with environmental protection requirements.

*No record may be destroyed under this Retention Schedule if it is pertinent to any current, pending or anticipated investigation, audit or legal proceeding. **The minimum retention periods specified in this schedule apply to the information contained within the record copy, regardless of the physical format of the record copy (paper, microfilm, electronic).** Each municipality must decide on the physical format for each type of record, ensuring authenticity, readability and accessibility for the entire retention period. **Duplicate Copies:** Retain duplicated copies until no longer needed but not longer than the record copy. <Amended 5/14>*

25.010 ENVIRONMENTAL MONITORING AND REVIEW

Records pertaining to monitoring, inspections, investigations, surveys, screenings, testing and similar activities relating to land uses and activities that could potentially impact air quality, water supply and the environment, such as feedlot operations, industrial contamination and pollution, mosquito control programs, gravel pit and mined land reclamation, oil and gas well drilling, sludge application by other jurisdictions, landfills of other jurisdictions, uranium mining, etc.

Retention: Permanent

25.020 HAZARDOUS WASTE STORAGE AND TRANSPORT RECORDS

A. Disposal Manifests Retained by Hazardous Waste Generator

Retention: 3 years from date waste was accepted by initial transporter [40 CFR 262.40(a), CRS 25-5-510, 6 CCR 1007.3 Subpart D]

B. Inspections

Retention: 5 years from date of inspection

C. Reports

Reports, including CDPHE-EPA biennial report form 8700-13A for off-site shipments of hazardous wastes, and reports of on-site treatment, storage or disposal of hazardous wastes.

Retention: 3 years from due date of report [40 CFR 262.40(b), CRS 25-5-510, 6 CCR 1007.3 Subpart D]

D. Test Results and Waste Analyses

Retention: 3 years from date waste was last sent to on-site or off-site treatment, storage and disposal [40 CFR 262.40(c), 6 CCR 1007.3 Subpart D]

25.030 MATERIAL SAFETY DATA SHEETS (MSDS)

Employers must have a MSDS on file for each hazardous chemical they receive and use and ensure copies are readily accessible to employees in their work area. Employer must keep records of chemicals used, where they were used and for how long. [General Reference: 29 CFR 1910.1200]

Retention: Until superseded or 2 years after chemical is disposed of or consumed, provided that employer retains some record of identity (chemical name if known) of substance or agent, where it was used, and when it was used, for at least 30 years [29 CFR 1910.1020(d)(ii)(B)]

25.040 S.A.R.A. TIER II REPORTS – SUBMITTING FACILITY'S COPY

S.A.R.A Title III (EPCRA) Tier II emergency and hazardous chemical inventory forms submitted annually, or within 90 days of exceeding the EPCRA threshold, to the Colorado Department of Public Health and Environment (CDPHE) and the local fire department by municipal facilities that use or store chemicals requiring a material safety data sheet in volumes exceeding the threshold amount. This report serves as a record of chemicals used, where they were used and how long they were used. Note: S.A.R.A. refers to the Superfund Amendments Reauthorization Act.

Retention: 30 years [29 CFR 1910.1020(d)(ii)(B)]

25.050 STORAGE TANKS – REGULATED SUBSTANCES

Records related to aboveground and underground storage of regulated substances such as gasoline, crude oil, fuel oil and diesel oil, including permits, applications, site information, emission inspections, monitoring, spills and cleanups, testing, upgrade installations, reports of financial condition required by CDPHE, proof of insurance coverage and financial responsibility, revocations, etc. [General Reference: 7 CCR 1101-14]

A. Approved Permits and Supporting Documentation

Retention: 6 years after removal of tank

B. Denied Permits and Supporting Documentation

Retention: 3 years after denial

25.060 TOXIC SITES

Records related to the identification and designation of sites that may have toxic contamination.

Retention: Permanent

Cross References

- Chemical application records – 95.050.A, Chemical Application Records
- Correspondence and general documentation – 40.100, Correspondence and General Documentation
- Hazardous materials exposure - 90.070, Employee Records – Active and Terminated; 90.110.B, Employee Medical Records in General
- Policies and procedures – 40.220, Policies and Procedures Documentation
- Reports – 40.290, Reports
- Rules, regulations and standards – 40.310, Rules, Regulations and Standards
- S.A.R.A. Tier II Reports – Fire Department's Copy – 100.060.B, S.A.R.A. Tier II Reports – Fire Department's Copies
- Water and sewage treatment – 60.090, Water and Sewer Treatment System Records