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Environmental Enforcement Records Retention Schedules

The table below list records retention schedules for the Ohio Attorney General's Office that have been approved by the Department of Administrative Services (DAS), State Archives, and Auditor of State. To view the official agency retention schedules, please go to the Ohio Government Records Database. **Disclaimer:** If you have any issues reading this document, please feel free to Contact Us and we will try to provide an accessible version.

Record Series Title	Agency and Series Authorization Numbers	Record Series Description	Confidential Description	Vital Description	Retention Period	Retention Justification	Method of Disposal	Date Schedule Approved
Waste Facility Investigative Background Files	071-OAG-05 10551621	Investigative background files used to conduct background analysis of waste facilities, their ownership, and key employees for the production of an investigative report that the Ohio Attorney General's Office (AGO) issues to the Ohio Environmental Protection Agency (EPA) for its use in the issuance or renewals of permits and license, documents can include, but are not limited to, disclosure statements submitted by applicants, investigative notes and work product, supporting documentation, and final investigative report.	FBI & BCI investigations & credit reports. Key employee information from the companies such as SSN, criminal histories etc.		Electronic – Retain 6 years. Paper – Retain 6 years, unless scanned and saved electronically.	Per OAC 109:6-1-02(E), after initial disclosure statements, facilities will submit to AGO on triennial-basis updates on their disclosure statements. Per ORC 3734.42(F)(2), applicant facilities can provide an affidavit for their triennial review in lieu a new disclosure statement if nothing has changed for their facility. Investigators will need to reference original disclosure statements and previous triennial report in order to complete their current report.	Electronic – Delete Paper – Shred	10/10/2019

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Record Series Title	Agency and Series Authorization Numbers	Record Series Description	Confidential Description	Vital Description	Retention Period	Retention Justification	Method of Disposal	Date Schedule Approved
Administrative Hearing Files	071-OAG-06 10551669	Documents review or modification of a license, permit, certification, or registration through administrative hearing process. Records include, but are limited to, notice of opportunity for hearing request for hearing, schedule information, continuances, file sent by client on respondent (gathering during investigation of respondent) , exhibits, correspondence, attorney work product, report & recommendation from hearing officer, and final adjudication order.	Personally identifiable information, financial information, tax returns, attorney work product, attorney/Client (ORC 149.43).		Electronic – Retain 7 years from case closing. Paper – Retain 7 years from case closing, unless scanned and saved electronically.	Ensures records are available for review during permit review process.	Electronic – Delete Paper – Shred	12/5/2017

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Record Series Title	Agency and Series Authorization Numbers	Record Series Description	Confidential Description	Vital Description	Retention Period	Retention Justification	Method of Disposal	Date Schedule Approved
Civil Case Files	071-OAG-07 10551671	Documents enforcement and non-enforcement litigation including, but not limited to legal action against environmental violations, breached of contract, civil rights disputes, and negligence cases brought against the state. Joint Federal Enforcement Actions fall within this series as well. Records include, but are not limited to, complaints, correspondence, referral documents, investigative material, research, pleadings, memorandum, affidavits, motions, judgements, discovery, evidence, transcripts, attorney/work product, environmental analysis, settlements and negotiation documents, hearing & deposition materials, and consent orders/decrees. May possibly include ledger of funds owned/balances, payment schedules, checks received, deposit slips, payment demand letters, and satisfaction of judgement letters.	Personally identifiable information, financial information, tax returns, attorney work product, attorney client privilege (ORC 149.43).		Electronic – Retain 10 years from close or 1 year if consent order is terminated, then destroy if of no historical value. Paper – Retain 10 years from close or 1 year if consent order is terminated, unless scanned and saved electronically, then destroy if of no historical value to State Archives.	Needed for pattern analysis and investigative purposes. If consent order terminated, it has been verified that terms or order have been completed and client agency has nothing to pursue.	Electronic – Delete Paper – Shred	12/7/2017

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Record Series Title	Agency and Series Authorization Numbers	Record Series Description	Confidential Description	Vital Description	Retention Period	Retention Justification	Method of Disposal	Date Schedule Approved
Criminal Case Files	071-OAG-08 10551786	Documents legal action by Office of the Attorney General (AGO) on regulated community who has committed a crime such as polluting, illegal transportation, or illegal dumping. Records include, but limited to, pleadings, memorandum, affidavits, attorney work product, legal research, motions, judgements, complaints, indictments, discovery, evidence, transcripts, correspondence, settlement & negation documents, and hearing and deposition materials.	Confidential Law Enforcement Investigatory Records (CLEIRS), personally identifiable Information, financial information, tax returns, attorney work product. Attorney client privilege (ORD 149.43). OHLEH & criminal history (ORC 109.57).		Electronic – Retain 15 years after case closing, then destroy if no historical value to State Archives. Paper – Retain 15 years after case closing, then destroy if no historical value to State Archives. If scanned and saved electronically, dispose of paper as soon as possible.	Allows tracking for fulfillment of sentencing, community control, and provide opportunity for filing post-judgment actions. Also retained for research and reference purposes to identify repeat offenders and patterns of behavior.	Electronic – Delete Paper – Shred	8/13/2021

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Record Series Title	Agency and Series Authorization Numbers	Record Series Description	Confidential Description	Vital Description	Retention Period	Retention Justification	Method of Disposal	Date Schedule Approved
Bankruptcy Notices	071-OAG-09 10551668	Documents initial notice of bankruptcy declaration by and individual or company by the Ohio Attorney General (AGO). AGO will inform client agencies who may have interest in pursuing legal action. Records include, notices from bankruptcy court or client agency, correspondence, and responses from client agencies regarding whether or not action will be pursued. If AGO pursues legal action, the records will be retained per the Environmental section's case files retention schedule.			Electronic – Retain 8 years. If legal action pursued, retain per applicable Environmental section's case file retention schedule. Paper – Retain 8 years, unless scanned and saved electronically. If legal action pursued, retain per applicable Environmental section's case file retention schedule.	To provide evidence of notification and communication with client agency regarding the bankruptcy declaration.	Electronic – Delete Paper – Shred	11/27/2017

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Record Series Title	Agency and Series Authorization Numbers	Record Series Description	Confidential Description	Vital Description	Retention Period	Retention Justification	Method of Disposal	Date Schedule Approved
Collections Payments/Restitution Files	071-OAG-10 10551667	Documents the collection of payments from debtors owing money to a client agency of Environmental Protection section based on consent order or judgment. Records include, but are not limited to, ledger of funds owed/ balances, payment schedules, checks received, deposit slips, payment demand letters, and satisfaction of judgement letters.	Account information check numbers (ORC 149.73).		Electronic – Retain until consent order or judgment is terminated, provided audited. Paper – Retain until consent order or judgment is terminated, provided audited, unless scanned & saved electronically.	Needed to verify payments related to a consent order or judgment have been satisfied.	Electronic – Delete Paper – Shred	11/27/2017