

**Policy Number:** Policy No. 2018-xx

**Title:** Records Retention Policy

**Effective Date:** Month Day, 2018

**Authority:** Public Law 91-575, 84 Stat. 1509 *et seq.*, Sections 2.6, 15.1 and 15.2.

**Policy:** The Susquehanna River Basin Commission (Commission or SRBC) and its staff will comply with this Records Retention Policy and the accompanying retention schedule for specific categories of records.

**Purpose:** The purpose of the Records Retention Policy is to establish formal procedures to preserve information appropriately and ensure that vital information is archived. This policy ensures legal compliance, controls costs of information storage/retrieval, provides for management of scientific records and monitoring data, and preserves intellectual property.

The law requires the Commission to maintain certain types of records, usually for a specified period of time. Failure to retain those records for those minimum periods could subject staff and the Commission to penalties and fines, cause the loss of rights, or disadvantage the Commission in litigation.

A Records Retention Schedule also plays an important role in preserving scientific data and historical studies important to management of the water resources of the Susquehanna River Basin (Basin). The Records Retention Schedule establishes a system for routine destruction of records after a defined period of time. Holding on to any document beyond a specified retention period is unnecessary and may lead to excessive storage costs, inefficiencies in locating/retrieving information, and unnecessary risk.

**Applicability:** This policy applies to the Commission and its staff.

**Disclaimer:** The policy outlined in this document is intended to supplement existing requirements. Nothing in this policy shall affect regulatory requirements. The policies and procedures herein are not an adjudication or a regulation. This document establishes the framework within which the Commission

will exercise its administrative discretion in the future and provides guidance for how the Commission will fulfill its regulatory review requirements. The Commission reserves the discretion to deviate from this policy statement if circumstances warrant.

**Page Length:** 8 pages

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## I. Scope

Records management practices in the Records Retention Policy apply to various kinds of records of the Commission of all media types. A record may be a memorandum, an e-mail, a contract, a case study or something not as obvious, such as a computerized calendar, an appointment book or an expense record. Records retention shall apply to certain types of records as identified in the Records Retention Schedule.

## II. Policy

The Commission and its staff will comply with this Records Retention Policy and the accompanying retention schedule for specific categories of records. Exceptions to the stated retention schedule may occur when **the Commission determines that the records are relevant to litigation, or potential litigation, or are subject to a government investigation or audit. Under these circumstances, the exception temporarily supersedes any previously or subsequently established retention schedule for those records. The Commission will inform staff about records that must be preserved until legal counsel determines the records are no longer needed.**

The Commission shall review its Records Retention Policy from time to time to ensure it meets legal, regulatory, and operational requirements.

It is the policy of the Commission to use technology, to the maximum extent practicable, to efficiently manage information and records. The Commission uses a document management system, called FileSite, to maintain all official records, as well as other documents and all other work products produced by Commission staff.

It is the practice of the Commission to scan into FileSite records submitted to or filed with the Commission. *The original paper record may be disposed of at any time after it has been transferred or scanned into FileSite, **except as noted**, as long as an electronic copy can be accurately reproduced as an original record. The same record retention requirements shall apply to the electronic copies of any original paper records.*

Upon expiration of a record's required retention period, records identified as eligible will be approved for destruction unless there is a legitimate reason to postpone that destruction. Premature destruction of official records is expressly prohibited; however, the proper and regular disposal of records reduces storage and labor costs associated with unnecessary maintenance of records retained past their retention requirements. Commission staff are responsible for eliminating paper and electronic records in their custody.

Some records have little or no documentary or evidential value and do not need to be set aside for future use by the Commission. Records that have short-term administrative, legal or fiscal use, or are only useful for a short period of time (called "transitory records") should be disposed of in accordance with this policy once they have fulfilled their purpose.

Commission staff are expected to consistently apply the Records Retention Policy and records management practices described herein. Staff should consult with their supervisor if they have questions concerning the disposition, retention, or destruction of a record; supervisors shall seek guidance from legal counsel as necessary.

Several categories of records are identified below along with retention periods.

- A. Payroll Tax Records. Payroll tax records include, but may not be limited to, payroll registers, payroll tax returns, tax payments, and W2s for all Commission staff. Payroll tax records shall be retained for seven (7) years from the date of filing the applicable return.
- B. Employment Records/Personnel Records. State and federal statutes require the Commission to keep certain recruitment, employment, and personnel information. The Commission shall also keep personnel files that reflect performance reviews and any complaints brought against the Commission or individual employees under applicable state and federal statutes. The Commission shall also keep all final memoranda and correspondence reflecting performance reviews and actions taken by or against personnel in the employee's personnel file. Employment and personnel records shall be retained for seven (7) years from the employee's date of employment separation from the Commission unless the employee is a retiree who is receiving payments as part of the Commission's post-employment benefits program. Employment and personnel records for these individuals shall be retained for three (3) years after the death of the retiree.
- C. Commission Meeting Materials. Meeting minutes and resolutions shall be retained in perpetuity in the Commission's electronic minute book. All supplemental materials which were sent in advance of the meeting shall be kept for seven (7) years from the date of the meeting. Archived digital Commission meeting materials within the Diligent Boardbooks portal shall be maintained for one (1) year.
- D. Press Releases/Other Publicly Released Documents. The Commission shall retain copies of all press releases and other publicly released documents for a period of three (3) years.
- E. Legal Documents. Legal counsel shall be consulted to determine the retention period of particular documents and before any legal document is permanently discarded, but legal documents shall generally be maintained for a period of ten (10) years.
- F. Intellectual Property. Documents and programs are often developed by and for Commission staff, and may be subject to intellectual property protection in their final form (e.g., patents and copyrights). Intellectual property may also include the documents detailing the development process. These documents should be retained for the life of the intellectual property.

- G. Contracts. Final, executed copies of all contracts entered into by the Commission shall be retained. The Commission shall retain copies of the final contracts for at least seven (7) years beyond the term of the contract.
- H. Electronic Communications. Electronic communications including e-mails, text messaging, social sites, cloud-based files, and voicemails that are important to agency operations, project records, and scientific studies will be retained for a period dependent upon the subject matter, as covered elsewhere in this policy.
- I. Employment Applications and Resumes of Non-Employees. All employment applications and résumés of candidates who applied but were not hired shall be retained for one (1) year following date of application.
- J. Quality Management Documents. The Commission's Quality Management Plan, quality assurance project plans, and standard operating procedures for projects shall be retained in perpetuity in electronic form. The Commission shall retain other quality management documents listed below for at least the following time periods:
1. Field notes and laboratory report: three (3) years
  2. Results of performance audits: three (3) years
  3. Quality Assurance Coordinator's and project manager's quality check reports: three (3) years
- K. Project Review Documents. These files refer to materials related to the Commission's approval of water resource projects and include the following types of projects: withdrawal (from either surface water or groundwater sources), consumptive use, or diversion into or out of the Basin; hydroelectric; emergency certificates; or projects that cause or may cause an adverse, adverse cumulative, or interstate effect on the water resources of the Basin. These files may contain, but are not limited to, notices of application, fee records, project applications, notices of intent (NOI), approved dockets, approval modifications, approvals by rule (ABR), natural gas source approvals or registrations, aquifer test plans, pre-drill well site reviews, Memorandum of Understanding (MOU) approvals, general permits, transfer or reissuance of project approvals, water conservation or other plans, maps, blueprints, reports, and other supporting documentation. Project review files shall be retained permanently for active projects. Files for expired projects should be maintained for ten (10) years after expiration or cessation of the project. Staff should check with the Project Review Manager before deleting or shredding these files.
- L. Compliance Documents. These files refer to materials related to the Commission's compliance and enforcement program. These files may contain, but are not limited to, notices of violation, delinquency notices, orders, metering and monitoring plans, post-approval conditions, inspection reports, enforcement

actions, settlement agreements, and other supporting documentation. Compliance and enforcement files shall be retained permanently for active projects. Files for expired projects should be maintained for ten (10) years after expiration or cessation of the project. Staff should check with the Compliance Manager before deleting or shredding these files.

- M. Planning and Operations/Monitoring and Protection Documents. Studies and reports will be preserved permanently based on their scientific and historical importance to management of the water resources of the Basin. Supporting data and materials should be managed in accordance with the applicable sections of the retention schedule (i.e., water quality/quantity data, GIS data, draft documents). Staff should check with the respective Program Manager before deleting or shredding these files.
- N. Grandfathering Registration Documents. These files refer to materials related to the Commission's Grandfathered Water Uses Registration Program and the subsequent determination of quantity for withdrawal sources and consumptive use that pre-date the Commission's applicable regulations. These files may contain, but are not limited to, facility information and personnel contacts, water withdrawal and use information, metering and monitoring information, and other supporting documentation. Registration files and the supporting information surrounding grandfathering determinations shall be retained permanently for projects/facilities that maintain their grandfathered status. Files for projects that have lost their grandfathered status should be maintained for ten (10) years after loss of grandfathered status, or be preserved in a manner consistent with project review and compliance records retention requirements. Staff should check with both the Compliance and Enforcement and Project Review Managers before deleting or shredding these files.

<b>RECORDS RETENTION SCHEDULE</b>	
<b>Business</b>	
Contracts and leases (expired)	7 years after expiration date
Deeds, mortgage, and bills of sale	Permanently
Insurance policies (expired)	3 years
Insurance records, current accident reports, claims, policies, etc.	7 years
Intellectual property	Life of the property
Property appraisals by outside appraisers	Permanently
Property records, including costs, depreciation reserves, blueprints, and plans	Permanently
<b>Data</b>	
Electronic communications	Depends upon subject matter of e-mail
Temporary FTP folders	2 weeks from creation date
Permanent FTP folders	Permanently
GIS project-specific data	3 years
Grandfathered projects water use data	Permanently
Microsoft Outlook mailbox (deleted items)	6 months
Microsoft Outlook mailbox (SRBC alum user)	3 years
Picture drive on network (P:drive)	Permanently
SRBC website (active and current pages)	Permanently
SRBC website (archived projects/pages)	1 year
StageCam pictures	3 years
Water quality data collected by SRBC staff	Permanently
Water use data submitted by project sponsor to the Monitoring Data Website	Permanently
<b>Financial</b>	
Correspondence (accounting, credit and collection matters only)	7 years
Depreciation schedules	Permanently
Financial statements (end-of-year, other months optional)	Permanently
General ledgers and end-of-year trial balances	7 years
Internal audit reports (in some situations longer retention periods may be desired)	3 years
Investments: monthly statements	3 years
Invoices (to customers, from vendors)	7 years
Journals/cash books	Permanently
Payroll records and summaries, including payroll registers, tax returns, tax payments, and W2s	7 years
Petty cash vouchers	3 years
Physical inventory documentation	3 years
Purchase orders (except purchasing department copy)	1 year
Purchase orders (purchasing department copy)	7 years
Scrap and salvage records (inventories, sales, etc.)	7 years
Subsidiary ledgers	7 years
Vouchers for payments to vendors, employees, etc. (includes allowances and reimbursement of employees, officers, etc. for travel and entertainment expenses)	7 years
Withholding tax statements	7 years



<b>RECORDS RETENTION SCHEDULE (continued)</b>	
<b>General</b>	
Commission meeting materials	7 years
Commission meeting materials within Diligent Boardbooks portal	1 year
Correspondence (general)	3 years
Draft documents	Deleted once final document is complete
FileSite (trash) documents	Deleted quarterly
Miscellaneous administrative and technical reports or memos	3 years
Minute books, including bylaws and charter	Permanently
Press releases/other publicly released documents	3 years
Transitory records	No retention after use
<b>Human Resources</b>	
Employee personnel records (after termination)	7 years
Employee personnel records (after retirement)	3 years (after death of retiree)
Employment applications (not hired)	1 year
Retirement and pension records	Permanently
<b>Legal</b>	
Correspondence (legal and important matters only)	Permanently
Legal documents (not otherwise listed)	10 years
Litigation files	Permanently
Rulemaking files	Permanently
<b>Programs</b>	
Compliance and Enforcement files	Minimum 10 years after expiration
Project Review documents	Minimum 10 years after expiration
Project Review applications (withdrawn and denied)	Minimum 10 years after action
Online applications and attachments	Minimum 10 years after expiration
Reports and studies	Permanently
Grandfathering (active)	Permanently
<b>Quality Management</b>	
Performance audit reports	3 years
Quality assurance field notes and laboratory reports	3 years
Quality check reports	3 years
Quality management documents	Permanently