

ORCAS POWER & LIGHT COOPERATIVE

OPALCO POLICY 24 ARTIFICIAL INTELLIGENCE & RECORDS MANAGEMENT

24.1 GOALS AND OBJECTIVES

The purpose of this policy is to ensure the reasonable and good faith retention of all records created by or under the control of the Cooperative, whether paper or electronic, that are necessary or advisable to retain for: business operations; historical value; accounting, audit, tax and financial purposes; compliance with applicable law; possible future use in litigation involving the Cooperative; and possible future use in an official proceeding or governmental investigation, audit or other matter.

As technologies evolve, including the increasing use of generative artificial intelligence (AI), the Cooperative recognizes the need to manage and retain information created, modified, or supported by AI systems with the same care and accountability as all other records. In accordance with Employee Handbook Section 7.21: Generative Artificial Intelligence Acceptable Terms of Use, employees must ensure that any AI-generated or AI-assisted work aligns with the Cooperative's mission, data privacy, and intellectual property standards. Such records, when used for business or operational purposes, are subject to the same retention, review, and destruction requirements outlined in this policy.

Other records, which are not necessary to retain for these reasons, shall be destroyed in accordance with the guidelines set forth in this policy. All other information that is not a record should be discarded after it has fulfilled its purpose to avoid the unnecessary expense and effort that would be required to preserve it. A legal hold notice shall be issued when it becomes necessary to preserve a record or other information otherwise scheduled or due for ordinary and appropriate destruction in accordance with this policy.

24.2 POLICY

Records of the Cooperative, which may be in electronic or paper form, shall be retained in accordance with these guidelines. Records that do not need to be retained shall be destroyed after the requisite retention period, if any, has passed. A log or other documentation of records destruction may be created to track compliance and assist in evaluating the effectiveness of this policy. Pending or potential litigation, governmental investigation and other circumstances may require a "hold" or suspension of regularly scheduled destruction of records or other information. Employees will be promptly notified of any such hold by the General Manager. The format of the hold notification is shown in the appendix to this policy.

24.3 DEFINITIONS FOR PURPOSES OF THIS POLICY

The following terms will have the meanings provided in this section:

24.3.1 Active Data/Records – electronic or paper records and information that are presently in use, are less than two years old, or are immediately accessible to users.

- 24.3.2 Archival Data/Records – electronic or paper records and information that are not directly accessible to users, but which are maintained long term and accessible with some effort.
- 24.3.3 Backup Data/Records – electronic or paper records and information that are not presently in use and which are routinely stored on portable media (e.g. disks, magnetic tape) and/or off-site and are a source for disaster recovery.
- 24.3.4 Distributed Data/Records – data living on portable media or “non-local” devices (e.g. PDAs, BlackBerrys, employee home computer, application service provider, ISPs). Most is probably “active” data.
- 24.3.5 ESI – “Electronically Stored Information” – any file, document, data, image, database, etc. that is stored on a computing device or electronic media, including but not limited to servers, computer desktops and laptops, cell phones, hard drives, flash drives, PDAs or BlackBerrys, CDs or DVDs, floppy disks, and magnetic tapes.
- 24.3.6 Legacy Data – information which has retained some importance or usefulness to OPALCO for a period of time but has been created or stored by the use of software and/or hardware that has subsequently become obsolete or been replaced (“legacy systems”).
- 24.3.7 Record – A “record” is any information (paper or electronic) recorded in a tangible form that is created or received by OPALCO and documents some aspect of its operations. A record has some enduring value to OPALCO that merits its retention for some period of time. Records include original and copies of contracts and other legal documents, memos, reports, forms, checks, accounting journals and ledgers, work orders, drawings, maps, images, photographs, and may be found in various electronic or machine-readable formats, including without limitation, CD-ROMs, DVDs, tape recordings, voice mail messages, e-mails, microfiche, web pages, computer and other electronic files.
- 24.3.8 Other Information/Data – “Other information” or “data” is any other material that is of a transitory nature, that after serving its limited purpose or being transferred to a more permanent form, or being incorporated with other record material, OPALCO has no need to retain such information except in the event of a legal hold. Some examples are: notes, drafts, routine correspondence, informational or courtesy copies, extra copies of filed or preserved records, and emails containing non-record information (such as scheduling or logistics information, thank you notes, etc.).

24.4 RETENTION OF RECORDS

Records shall be indexed and retained in a manner that ensures their easy accessibility. Records shall be maintained for as long as the period stated in the schedule appended to this policy, which schedule is based on the minimum periods required by applicable state or federal law and necessity for ongoing business purposes. The retention schedule will be reviewed periodically and amended as needed to reflect changing legal

requirements, business needs or evolving practices. Management shall be deemed Records Coordinator and responsible for supervising all of OPALCO's retention practices and procedures and ensuring that appropriate internal controls are implemented. Paper and electronic records and other information shall be maintained in the formats and/or media and at the locations provided in the master index, which media shall ensure a life expectancy that, at a minimum, preserves the records for as long as specified in the schedule. All records that require transfer to storage media that is different from the media in which the document was originally created or is being maintained requires documentation of the transfer and verification for accuracy.

24.5 Destruction of Records & Other Information

Unless a legal hold is in effect, destruction of records shall occur within six months after the time period stated in the schedule has been met. Other information should be discarded as soon as practical after it has served its purpose unless subject to a legal hold.

Destruction may occur by the following acceptable methods:

24.5.1 (Paper)

- Recycling or trash if no sensitive, personally identifiable or confidential information is included
- Shredding, burning, or pulverizing if sensitive, personally identifiable or confidential information is included

24.5.2 (Electronic)

- Deletion of records and data on shared network files, computer desktop and laptop hard drives, including personal copies
- Deletion of distributed data/records on peripheral devices and portable storage media (e.g. PDAs, memory sticks, CDs, floppy disks, etc.)
- Erasing or recycling of magnetic tapes

24.6 SUSPENSION OF DESTRUCTION/ “LEGAL HOLD”

A legal hold is the process for suspending the destruction of records and other information that becomes necessary for OPALCO to preserve. A legal hold may need to be issued for various reasons, such as:

- A complaint is filed against the Cooperative
- A credible threat of litigation has been received by the Cooperative
- A discovery request is received
- A records preservation order has been issued
- A subpoena has been served on the Cooperative
- A governmental, regulatory or law enforcement agency has instituted an investigation
- An event has occurred that resulted in death or serious bodily injury
- A circumstance has arisen that is likely to cause the Cooperative to file a lawsuit against someone or some entity
- An employee has made a complaint/allegation/report regarding a violation of law, Cooperative policy, or other improper conduct prompting an internal investigation

If a staff member of OPALCO receives any such complaint, request, subpoena or inquiry, he or she should immediately submit it to the General Manager. Following consultation with legal counsel, a determination will be made regarding the need to preserve records. If such a need is determined to exist, then the attorney will issue a legal hold notification in the form appended to this policy.

The legal hold requires the preservation of all records and other information detailed in the legal hold notice. With regard to electronic records and information, all such active, distributed and archived materials must be preserved. Back-up tapes that only contain records or other information redundant to that which is being maintained as active or archived data, will be recycled or destroyed in accordance with the Cooperative's regular back-up tape policy/practice.

If a computer or peripheral device (e.g. BlackBerry, external disk drive, etc.) has stored on it records or other information subject to the legal hold, then any scheduled replacement of that computer or device must be suspended until the stored materials on such computer or device are copied to a secure medium before the computer or device is taken out of service. Such steps must be documented (*in a hardware replacement, IT maintenance, or other log*) noting the dates of such copying and the equipment replacement, the person responsible for the copying and replacement, and the location of the copied materials.

24.7 ARTIFICIAL INTELLIGENCE SYSTEMS AND RECORDS

OPALCO recognizes that AI tools may be used to create, process, or analyze information. Any date, content, or output generated by AI systems shall be considered part of OPALCO's electronic records and is subject to the same retention, security, and destruction requirements outlined in this policy.

Employees must not input confidential, proprietary, or personally identifiable information into external or unapproved AI tools. Any AI systems deployed for Cooperative business must be approved by Management to ensure data security, accuracy, and compliance with applicable laws and Cooperative policies.

Documentation of AI use including prompts, data sources, outputs, and human review or validation should be retained as supporting records when the AI output contributes to a business decision, official communication, or member record.

24.8 COMPLIANCE & QUESTIONS

Every employee, director and agent of OPALCO is required to comply with this policy. Training will be provided as needed to ensure that everyone subject to the policy is familiar with its provisions and understands the specific responsibilities and tasks associated with carrying out the policy. Periodic compliance audits and testing of retention, legal hold, and destruction procedures will be undertaken at the direction and supervision of the Records Coordinator. The General Manager shall make periodic reports to the Board of Directors regarding overall compliance.

Questions about this policy should be directed to the Records Coordinator.

24.9 REPORTING OF SUSPECTED NONCOMPLIANCE

Should any employee, director or agent of OPALCO become aware of information indicating that a person responsible for the retention or destruction of records is not in compliance with this policy, such information shall be promptly reported to the Records Coordinator.

24.10 POLICY REVIEW

A review of this policy will take place at least annually, at which time amendments to the policy may be made as necessary.



Foster Hildreth, General Manager

Effective Date: November 20, 2025

Appendix I

Retention Schedule

Record Description (Include any identification numbers, etc.)	Retention Period and Washington State Disposition Authorization Number
<u>Management & General:</u> 1. Reports to members: Annual reports or statements to members.	5 years
2. Organizational documents: (a) Minute books of member, board and board committee meetings; <i>Record of all actions taken by the board without a meeting; all actions taken by a committee of the board in place of the board on behalf of the corporation</i> (b) Titles, franchises, and licenses: Copies of formal orders of regulatory commissions served upon the utility, if applicable. (c) <i>Articles and amendments in effect; Bylaws and amendments in effect; Board resolutions regarding member classes or rights</i>	(a) Permanently (b) 6 years after final non-appealable order (c) Indefinitely
3. Contracts, including amendments and agreements (except contracts provided for elsewhere): (a) Service contracts, such as for management, accounting, and financial services. (All contracts, related memoranda, and revisions.) (b) Contracts with others for transmission or the purchase, sale or interchange of product. (All contracts, related memoranda, and revisions) (c) Memoranda essential to clarifying or explaining provisions of contracts listed above, including requests for discounts. (d) Card or book records of contracts, leases, and agreements made, showing dates of expirations and of renewals, memoranda of receipts, and payments under such contracts.	(a) 6 years after expiration or until the conclusion of any contract disputes pertaining to such contracts, whichever is later (b) 6 years after expiration or until the conclusion of any contract disputes or governmental proceedings pertaining to such contracts, whichever is later <i>[Cooperatives should consider keeping FEMA mutual aid agreements indefinitely, though NRECA maintains a centralized database of all such agreements that it receives.]</i> (c) & (d) For the same periods as contracts to which they relate
4. Accountants' and auditors' reports: (a) Reports of examinations and audits by accountants and auditors not in the regular employ of the utility. (b) Internal audit reports and working papers	(a) & (b) 5 years after the date of the report
<u>Information Technology Management:</u> 5. Automatic data processing records (retain original source data used as input for data processing and data processing report printouts for the applicable periods prescribed elsewhere in the schedule): Software program documentation and revisions thereto.	Retain as long as it represents an active viable program or for periods prescribed for related output data, whichever is shorter.

General Accounting Records: 6. General and subsidiary ledgers: (a) Ledgers: (1) General ledgers (2) Ledgers subsidiary or auxiliary to general ledgers except ledgers provided for elsewhere. (b) Indexes: (1) Indexes to general ledgers (2) Indexes to subsidiary ledgers except ledgers provided for elsewhere. (c) Trial balance sheets of general and subsidiary ledgers	(a)(1) & (2) 10 years (b)(1) & (2) 10 years (c) 2 years
7. Journals: General and subsidiary	10 years
8. Journal vouchers and journal entries including supporting detail: (a) Journal vouchers and journal entries (b) Analyses, summarization, distributions, and other computations which support journal vouchers and journal entries: (1) Charging plant accounts (2) Charging all other accounts	(a) 10 years (b)(1) 25 years. (b)(2) 6 years
9. Cash books: General and subsidiary or auxiliary books	5 years after close of fiscal year.
10. Voucher registers: Voucher registers or similar records when used as a source document.	5 years.
11. Vouchers: (a) Paid and canceled vouchers (one copy-analysis sheets showing detailed distribution of charges on individual vouchers and other supporting papers). (b) Original bills and invoices for materials, services, etc., paid by vouchers. (c) Paid checks and receipts for payments of specific vouchers. (d) Authorization for the payment of specific vouchers (e) Lists of unaudited bills (accounts payable), list of vouchers transmitted, and memoranda regarding changes in audited bills. (f) Voucher indexes	(a), (b) & (d) 5 years. (c) 5 years. (e) Destroy at option (f) Destroy at option
11a. Financial requirement and expenditure statements, which are not otherwise reflected in this schedule	1 year after the "as of date" of RUS' loan fund and accounting review [RUS rule. Typically, RUS field accountants audit a borrower every 2 or 3 years, in tandem with a review of financed construction. So, 1 year after the audit is completed and accepted.]

<u>Insurance:</u> 12. Insurance records: (a) Records of insurance policies in force, showing coverage, premiums paid, and expiration dates. (b) Records of amounts recovered from insurance companies in connection with losses and of claims against insurance companies, including reports of losses, and supporting papers. (c) Applications for insurance policies in force.	(a) Destroy at option after expiration of such policies <i>[Before destroying any policy, cooperatives should determine whether the policy is a “claims made” or “occurrence” policy. Under the latter, the policy that is in force on the date of the event that caused the loss is the policy that will cover that loss. Because claims can arise years after a policy has expired, expiration may not always be the appropriate time to destroy.]</i> (b) 6 years. (c) Destroy at option after expiration of such policies’ coverage period. <i>[This is an additional recommendation and not required by FERC regulations or RUS’ proposed rule as insurers could seek to cancel or void a policy to avoid liability on the grounds that an application contained materially false or omitted materially significant information.]</i>
<u>Operations and Maintenance:</u> 13. Transmission and distribution: (a) Substation and transmission line logs (b) System operator’s daily logs and reports of operation (c) Transformer history records (d) Records of transformer inspections, oil tests, etc. (e) Records of other inspections, assessments, tests of component parts of the utility system, and Emergency Restoration Plan exercises	(a) & (b) 3 years (c) Life of transformer + 10 years (d) Life of transformer + 10 years GS55-05E-20 [Life of transformer + 20 years if contain PCBs] GS55-05E-29 (e) At least until the next applicable inspection, test, etc. is conducted
14. Maintenance work orders and job orders: (a) Authorizations for expenditures for maintenance work to be covered by work orders, including memoranda showing the estimates of costs to be incurred. (b) Work order sheets to which are posted in detail the entries for labor, material, and other charges in connection with maintenance and other work pertaining to utility operations. (c) Summaries of expenditures on maintenance and job orders and clearances to operating other accounts (exclusive of plant accounts).	(a) – (c) 5 years
<u>Plant and Depreciation:</u> 15. Plant ledgers: (a) Ledgers of utility plant accounts including land and other detailed ledgers showing the cost of utility plant by classes. (b) Continuing plant inventory ledger, book or card records showing description, location, quantities, cost, etc., of physical units (or items) of utility plant owned. (c) Life & mortality study data for depreciation purposes	(a) & (b) 25 years. (c) 25 years or for 10 years after plant is retired, whichever is longer.

16. Construction work in progress ledgers, work orders, and supplemental records: (a) Construction work in progress ledgers (b) Work orders sheets to which are posted in summary form or in detail the entries for labor, materials, and other charges for utility plant additions and the entries closing the work orders to utility plant in service at completion. (c) Authorizations for expenditures for additions to utility plant, including memoranda showing the detailed estimates of cost, and the bases therefore (including original and revised or subsequent authorizations). (d) Requisitions and registers of authorizations for utility plant expenditures. (e) Completion or performance reports showing comparison between authorized estimates and actual expenditures for utility plant additions. (f) Analysis or cost reports showing quantities of materials used, unit costs, number of man-hours etc., in connection with completed construction project. (g) Records and reports pertaining to progress of construction work, the order in which jobs are to be completed, and similar records which do not form a basis of entries to the accounts.	(a) & (b) 5 years after clearance to plant account, provided continuing plant inventory records are maintained; otherwise 5 years after plant is retired. (c) – (f) 5 years after clearance to plant account except where there are ongoing regulatory commission proceedings (g) Destroy at option
17. Retirement work in progress ledgers, work orders, and supplemental records: (a) Work order sheets to which are posted the entries for removal costs, materials recovered, and credits to utility plant accounts for cost of plant retirement. (b) Authorizations for retirement of utility plant, including memoranda showing the basis for determination to be retired and estimates of salvage and removal costs. (c) Registers of retirement work	(a) & (b) 5 years after plant is retired (c) 5 years
18. Summary sheets, distribution sheets, reports, statements, and papers directly supporting debits and credits to utility plant accounts not covered by construction or retirement work orders and their supporting records.	5 years <i>[Per RUS rule, records supporting construction financed by RUS “shall be retained until audited and approved” by RUS.]</i>

19. Appraisals and valuations: (a) Appraisals and valuations made by the company of its properties or investments or of the properties or investments of any associated companies. (Includes all records essential thereto.). (b) Determinations of amounts by which properties or investments of the company or any of its associated companies will be either written up or written down as a result of: (1) Mergers or acquisitions (2) Asset impairments (3) Other bases	(a) 3 years after appraisal (b)(1) 10 years after completion of transaction or as ordered by regulatory commission, if applicable (b)(2) 10 years after recognition of asset impairment. (b)(3) 10 years after the asset was written up or down
20. The original or reproduction of engineering records, drawings, and other supporting data for proposed or as-constructed utility facilities: Maps, diagrams, profiles, photographs, field survey notes, plot plan, detail drawings, records of engineering studies, and similar records showing the location of proposed or as-constructed facilities.	Retain until retired
21. Contracts relating to utility plant: (a) Contracts relating to acquisition or sale of plant (b) Contracts and other agreements relating to services performed in connection with construction of utility plant (including contracts for the construction of plant by others for the utility and for supervision and engineering relating to construction work).	(a) & (b) 6 years after plant is retired or sold
22. Records pertaining to reclassification of utility plant accounts to conform to prescribed systems of accounts including supporting papers showing the bases for such reclassifications.	6 years
23. Records of accumulated provisions for depreciation and depletion of utility plant and supporting computation of expense: (a) Detailed records or analysis sheets segregating the accumulated depreciation according to functional classification of plant. (b) Records reflecting the service life of property and the percentage of salvage and cost of removal for property retired from each account for depreciable utility plant.	(a) & (b) 25 years

<u>Purchase and Stores:</u> 25. Procurement: (a) Agreements entered into for the acquisition of goods or the performance of services. Includes all forms of agreements not specifically set forth in Subsection 7 such as but not limited to: Letters of intent, exchange of correspondence, master agreements, term contracts, rental agreements, and the various types of purchase orders: (1) For goods or services relating to plant construction (2) For other goods or services (b) Supporting documents including accepted and unaccepted bids or proposals (summaries of unaccepted bids or proposals may be kept in lieu of originals) evidencing all relevant elements of the procurement.	(a)(1) 6 years. (a)(2) 6 years (b) 6 years.
26. Material ledgers: Ledger sheets of materials and supplies received, issued, and on hand	6 years after the date the records/ledgers were created
27. Materials and supplies received and issued: Records showing the detailed distribution of materials and supplies issued during accounting periods	6 years.
28. Records of sales of scrap and materials and supplies: (a) Authorization for sale of scrap and materials and supplies. (b) Contracts for sale of scrap materials and supplies	(a) & (b) 3 years
<u>Revenue Accounting and Collecting:</u> 29. Customers' service applications and contracts: Contracts, including amendments for extensions of service, for which contributions are made by customers and others	4 years after expiration
30. Rate schedules: General files of <i>[FERC: published]</i> rate sheets and schedules of utility service. Including schedules suspended or superseded.	6 years after published rate sheets and schedules are superseded or no longer used to charge for utility service
31. Maximum demand, and demand meter record cards	1 year, except where the basic chart information is transferred to another record the charts need only be retained 6 months, provided the basic data is retained 1 year.
32. Miscellaneous billing data: Member Services' copies of contracts with members (other than contracts in general files) (a) "Member accounts' records"	Destroy at option (a) Permanent

33. Revenue summaries: Summaries of monthly operating revenues according to classes of service. Including summaries of forfeited discounts and penalties	5 years
<u>Tax:</u> 34. Tax records: (a) Copies of tax returns and supporting schedules filed with taxing authorities, supporting working papers, records of appeals of tax bills, and receipts for payment. See Subsection 11(b) for vouchers evidencing disbursements: (1) Income tax returns (e.g. IRS Form 990s, including amended returns) (2) Property tax returns (3) Sales and other use taxes. (4) Other taxes (5) Agreements between associate companies as to allocation of consolidated income taxes. (6) Schedule of allocation of consolidated Federal income taxes among associate companies. (b) Filings with taxing authorities to qualify employee benefit plans. (c) Information returns and reports to taxing authorities. (d) Tax exemption application and determination letter (e.g. currently, Form 1024, and all accompanying documentation) and any IRS rulings (e.g. private letter ruling)	(a)(1), (2), (4) - (6) 2 years after final tax liability is determined. <i>[Forms 990 should be retained for at least 3 years after the due date or filing date of the return, whichever is later to meet public inspection requirements. See I.R.C. § 301.6104(d)-1.]</i> (a)(3) 2 years (b) 5 years after discontinuance of plan. (c) 3 years after final tax liability is determined (d) Permanently
<u>Accounting:</u> 35. Statements of funds and deposits (a) Statements of periodic deposits with fund administrators or trustees. (b) Statements of periodic withdrawals from fund (c) Statements prepared by fund administrator or trustees of fund activity including: (1) Beginning of the year balance of fund; (2) Deposits with the fund; (3) Acquisition of investments held by the fund; (4) Disposition of investments held by the fund; (5) Disbursements from the fund, including party to whom disbursement was made; (6) End of year balance of fund.	<i>[FERC: For nuclear decommissioning funds, retain records for all items listed for 3 years after final decommissioning is completed. If amortization reserve funds related to licensed projects are maintained, retain until the FERC makes a final determination of the disposition of amortization reserves.]</i> (a) & (b) Retain records for the most recent 3 years (c) Retain records until the fund is dissolved or terminated

36. Records of deposits with banks and others: (a) Statements from depositories showing the details of funds received, disbursed, transferred, and balances on deposit. (b) Check stubs, registers, or other records of checks issued. 36A. Records of financial commitments with lenders (a) loan applications, approval letters & loan contracts (b) mortgages, other security instruments associated with loans (c) release of lien (d) notification from lender to borrower of satisfaction of financial commitment	(a) Destroy at option after completion of audit by independent accountants. (b) 3 years (a) & (b) Once a loan or mortgage has been fully paid, these documents, along with receipts or other proof of payment, may be destroyed at a borrower's option. However, retained copies of the executed loan contract and mortgage would be helpful evidence of the requirements to which the borrower was subject during the loan period. (c) Permanently (d) Permanently
Miscellaneous: 37. [FERC: Reserved]	
38. Statistics: Financial, operating and statistical reports used for internal administrative or operating purposes.	5 years
39. Budgets and other forecasts (prepared for internal administrative or operating purposes) of estimated future income, receipts and expenditures in connection with financing, construction and operations, including acquisitions and disposals of properties or investments.	3 years
40. Records of predecessor companies	Retain consistent with the requirements for the same types of records of the utility
41. Reports to Federal and State regulatory commissions including annual financial, operating and statistical reports. <i>[Form EIA-861 "Annual Electric Power Industry Report", RUS Form 7, etc.]</i>	5 years GS55-05D-21
42. Advertising: Copies of advertisements by or for the company on behalf of itself or any associate company in newspapers, magazines, and other publications, including costs and other records relevant thereto (excluding advertising of appliances, employment opportunities, routine notices, and invitations for bids all of which may be destroyed at option).	2 years
Employment Related: 43. Safety (a) Motor vehicle inspection, repair & maintenance records (b) CDL driver qualification files (c) CDL driver drug & alcohol tests & results (d) OSHA 300 Log & OSHA 301 incident reports	(a) 1 year and for 6 months after the motor vehicle leaves the motor carrier's control (b) for 3 years after termination of employment (c) 5 years (d) 5 years

44. Personnel (a) Payroll records, collective bargaining agreements (b) Performance reviews & other documentation about treatment on the job, job applications and resumes, etc. (c) Benefits plan information (ERISA) (d) I-9 Forms for all employees hired after 11/6/1986 (e) Payroll & unemployment taxes (f) Wage/earnings records (e.g. time cards, wage rate tables, etc.) (g) Dates of FMLA leave, notices to or from employees re FMLA, records of any disputes, etc.	(a) 3 years (b) 3 years for records related to <u>age</u>, but 1 year for records related to Title VII & ADA: race, ethnicity, national origin & disability (c) At least 6 years after the filing date of the documents (d) for 3 years after the date of hire or 1 year after the date employment is terminated, whichever is later (e) 4 years (f) 2 years (g) 3 years
<u>Environmental:</u> 45. Hazardous Waste/Toxic Chemicals (reports, inspection logs, training records, waste shipment manifests or records, sampling and monitoring data) (a) Community Right to Know/TRI reports & supporting documentation (b) PCB equipment inspection and maintenance history (c) PCB spills (d) Used Oil: Spill Prevention Protection & Control plans, procedures and record of tests & inspections (e) Haz mat incident reports (f) Employee exposures to certain substances (e.g. asbestos, benzene, etc.), including medical evaluations (g) Hazardous waste records (shipping manifests, filed reports, test results, etc.) (h) Records related to underground storage tanks for fuel (tests results, monitoring, calibration, maintenance or repair records, spills)	(a) 3 years from submission of the report (b) 3 years after disposal (c) 5 years after clean-up (d) 3 years (e) 2 years (f) 30 years (g) 3 years (h) 1 year or for another reasonable time period determined by Washington State EPA
46. Water (a) NPDES Permits & related documentation (including storm water prevention plans, reports, certifications, data used for the notice of intent, etc.) (b) Section 404 wetlands permits & related documentation (e.g. related to dredge & fill activities during utility line construction)	(a) at least 3 years from the date the permit expires or is terminated (b) varies by state [For example, Virginia requires 3 years from permit expiration. 9 Va. Admin. Code 25-220-80.]
<u>Miscellaneous Licenses, Permits & Other Requirements:</u> 47. FCC – (a) radio frequency spectrum licenses (b) private land mobile radio and microwave station records (c) correspondence with the FCC	(a) permanently, or until cooperative no longer holds an FCC license (b) 1 year (c) permanently, or until cooperative no longer holds an FCC license
48. NERC Reliability Standards – (can include audit records, system testing, personnel training, etc.)	3 years

Service Related: 49. Records kept in relation to service-related events (a) Consumer complaints (including correspondence, voice recordings, investigation reports, etc.) (b) Outages (investigation reports, operational records, etc.) (c) Accidents (investigation reports, photographs, operational records, etc.)	(a) – (c) Until the applicable statute of limitations has passed or litigation is finally decided or settled. (Some state regulatory commissions require the utilities under their jurisdiction to keep records of complaints, outages, and accidents. It would seem prudent that even in the absence of such requirements to maintain appropriate records related to these events in the likely event of subsequent investigation and/or litigation.)
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Appendix III

Sample Legal Hold Notification

To ensure that every employee, director and agent of Orcas Power & Light Cooperative will recognize and respond appropriately to a notification that certain records are now potentially relevant and necessary for litigation or a governmental investigation, this appendix provides a sample legal hold notification.

URGENT NOTICE

TO: *Name all persons identified as likely to have relevant records including the designated Records Custodian or Coordinator*
FROM: *General Manager/Cooperative Attorney/Litigation Attorney*
DATE:
RE: *Your Obligation to Preserve Records & Other Information*

The event/circumstance described below has triggered an obligation to preserve records and other information. Your assistance is necessary and required for the preservation of OPALCO's records and other information to fulfill OPALCO's legal obligations and/or preserve OPALCO's rights. Failure to fully comply with this directive could result in harm or penalties against OPALCO; therefore, employees could be subject to discipline, up to and including termination of employment, for failure to follow the directives in this notice.

Event or Circumstance Triggering the Need to Preserve Records *(Description of lawsuit, investigation, occurrence, etc. If litigation, describe specific claims involved.)*

Types of Records & Other Information to be Preserved

All paper and electronic records and other information that could be relevant to the above described event or circumstance must be preserved – that is, retained and not deleted – including, without limitation: *(Tailor description as needed to specific trigger event – such as, documents (including drafts & revisions), spreadsheets (including drafts and revisions), emails (sent & received), databases, calendars, presentations, image files, maps, voice messages, data generated based on Internet activity (cookies, cache, history files), computer usage logs, etc.)*

When potentially relevant records or other information exist on multiple platforms or media, for example: a file on a desktop computer, on a laptop computer, on a mobile device, on a portable storage medium such as a CD-ROM, and a paper copy, every copy must be preserved.

Any routine or planned destruction of these types of records or data that you are aware of and can control (e.g. a user's personal email setting to automatically delete messages older than a certain date) must be suspended for the period of this hold.

Time Period

All of the above described records and other information currently in your possession or under your control must be preserved *(from this point forward until you are notified that this hold is lifted, or state specific time period if known)*.

Verification of Preservation

(Describe the actual steps that a recipient of this notice must take to verify preservation. Different types of records or information may require different preservation methods, e.g. certain electronic files may be subject to automatic purging that requires an override or programming change.)

Contact Person(s)

If you have questions regarding this notice, or are aware of any other persons not listed as recipients of this notice –including retired employees, contractors, consultants or others– who should receive this notice, please direct all such questions and information to _____
(Provide name and contact details of the person overseeing the matter triggering the legal hold, such as the Cooperative’s attorney or litigation counsel).

Reminders

Reminders will be sent to you periodically during the course of this *(litigation, investigation, audit, matter)* to ensure that you continue to preserve relevant information and to inform you of any change as the matter progresses that would affect your preservation obligations. Such a change could include a change in scope that could add additional categories of records or other information for preservation or may require you to take additional preservation or verification steps.

Appendix IV

Sample Records Retention Master Index

Doc ID: 7824f0e19bcf6eabf532432e61951765203fb02c

ORCAS POWER & LIGHT COOPERATIVE

Appendix V **Certification of Untimely Destruction** **or Loss of Records**

_____ certifies that the below identified
records were lost/destroyed prior to the
Employee Name
expiration of the applicable retention period.

Signature

Date

Name

Title

Records Lost or Destroyed Prior to the Expiration of the Retention Period:

Record Description	Applicable Retention Period	Loss or Destruction <i>(Describe event or circumstances)</i>	Date & Time Loss or Destruction Occurred <i>(If not known, note when the loss or destruction was discovered.)</i>

Title	Policy 24
File name	Policy_24_Records...ised_Oct_2025.pdf
Document ID	7824f0e19bcf6eabf532432e61951765203fb02c
Audit trail date format	MM / DD / YYYY
Status	● Signed

Document History



11 / 20 / 2025
12:29:51 UTC-8

Sent for signature to Foster Hildreth (fhildreth@opalco.com)
from bstanford@opalco.com
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11 / 27 / 2025
12:49:00 UTC-8

Viewed by Foster Hildreth (fhildreth@opalco.com)
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11 / 27 / 2025
12:49:11 UTC-8

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The document has been completed.