

**RECORDS RETENTION SCHEDULE
[DEPARTMENT OF ENERGY AND ENVIRONMENTAL
PROTECTION]**

Form RC-050 (Revised 02/2012)



STATE OF CONNECTICUT
Connecticut State Library
Office of the Public Records Administrator
231 Capitol Avenue, Hartford, CT 06106
www.cslib.org/publicrecords

**RECORDS RETENTION
SCHEDULE #**

13-6-2

1. **SCOPE:** This schedule lists records unique to Department of Energy and Environmental Protection and is used in conjunction with the General Records Retention Schedules and other relevant Records Retention Schedules.
2. **AUTHORITY:** The Office of the Public Records Administrator issues this Records Retention Schedule under the authority granted by §11-8 and §11-8a of the *General Statutes of Connecticut* (CGS).
3. **RETENTION PERIODS:** Retention periods listed on this schedule are based on the records' administrative, fiscal, legal, and historical values, as well as statutory or regulatory requirements. In most instances the established period sets the minimum retention requirement. However, some records have maximum retention periods set by Federal or State statutes or regulations. Please note that any statute or regulation listed in brackets in the "Retention" column indicates the legal citation for that retention requirement. If a records series states, "Permanent/Archival," the agency should request approval to transfer the records to the State Archives or an approved archival repository once the records are inactive. If a records series states, "May contain historical value," the agency should contact the State Archives for archival appraisal before requesting disposition of the records. Not all such records will be determined to be archival; conversely, some records without this statement might have archival value. See General Letter #2009-1 for guidelines on transferring records to the State Archives.
4. **FORMAT:** Retention periods listed on this schedule apply to the official record copy, whether in paper, electronic, or other format. If records are maintained only in an electronic system, the records custodian must be able to retrieve and interpret the content for the retention period.
5. **DISPOSITION AUTHORIZATION:** This schedule is used concurrently with the *Records Disposition Authorization* (Form RC-108), which is used to request permission to destroy or transfer records that have met their retention period. The agency Records Management Liaison Officer (RMLO), the State Archivist, and the Public Records Administrator must sign the authorization form *prior* to destruction or transfer of public records. The Office of the Public Records Administrator cannot grant continuing approval to destroy records on an ongoing basis. No records may be destroyed if there are pending or active Freedom of Information Act (FOIA) requests; litigations; investigations; audits; or other cases, claims, or actions. Note that if there is a destruction hold placed on records, the retention period does not change and once the hold is lifted, the records may be destroyed after receipt of the signed Form RC-108.
6. **DISPOSITION DUE TO REFORMATTING:** Records custodians may request permission to dispose of original records that have been scanned provided the retention period is 10 years or less and the agency has submitted a *Certificate of Compliance* in accordance with the State Library's *Standards for the Use of Imaging Technology for Storage, Retrieval, and Disposition of Public Records*. With certain exceptions, custodians may request permission to dispose of original records that have been microfilmed provided the agency has submitted a *Certificate of Compliance* in accordance with the State Library's *Required Minimum Microfilming Standards for Public Records*.
7. **AUDIT REQUIREMENTS:** Under the Single Audit Act (31 USC 7501) audit requirements apply to Federal, State, and Local programs. The retention requirement, "___ years, or until audited, whichever is later," requires further explanation. In most instances "audit" refers to the general agency audit conducted by the State Auditors of Public Accounts or the general town or municipal audit conducted by an outside auditing agency, unless otherwise noted. The specific record itself may or may not have been examined as part of the audit process. The requirement of "until audited" is fulfilled when the official audit report is issued. The auditors may recommend that certain records be corrected. Such records, even when they meet retention requirements, must be retained during the period that any review is pending.
8. **FOIA DISCLOSURE:** This retention schedule governs the retention of public records – not the disclosure of public records. Refer to CGS §1-200 et seq. or contact the Office of Governmental Accountability, Freedom of Information Commission (FOIC), regarding the disclosure of public records.
9. **ESSENTIAL RECORDS:** Records designated as "Essential" are those records necessary to respond to an emergency; to reestablish normal operations after any such emergency; to protect the rights and interests of the agency; and to protect the rights and interests of individuals for whom it has responsibility.
10. **OBSOLETE RECORDS:** Records designated as "OBSOLETE" or "SERIES CLOSED" are no longer created or received in the normal course of business. Records custodians should request approval for the appropriate disposition of any records so designated as soon as the retention period has passed.
11. **RECORDS CREATION REQUIREMENT:** Nothing on this schedule mandates the creation of a record or records series if the agency does not already create or receive it in the normal course of business. However, agencies should be aware of any additional recordkeeping requirements established by state or federal statute or regulation.

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AGENCY: Department of Energy and Environmental Protection (DEEP)	AGENCY ADDRESS: 79 Elm Street, Hartford, CT 06106-5127	This schedule is: <input type="checkbox"/> ORIGINAL <input checked="" type="checkbox"/> REVISED Superseded schedule number(s): 00-13-1
DIVISION, UNIT, OR FUNCTION: Bureau of Materials Management and Compliance Assurance, Water Permitting and Enforcement Division		
RELEVANT STATUTES & REGULATIONS AND ACRONYMS USED ON THIS SCHEDULE: CGS Sec. 22a-416 through Sec. 22a-438, RCSA Sec. 22a-430-1 through 22a-430-8; 40 CFR 122 EPA Administered Permit Programs: National Pollutant Discharge Elimination System; 40 CFR 140-149 Safe Drinking Water Regulations; 40 CFR 403 General Pretreatment Regulations for Existing and New Sources of Pollution; Federal Clean Water Act 33 USC 1251 et seq.		

RMLO (type or print): Mary Lou Kramer	JOB TITLE OF RMLO (type or print): Paralegal Specialist 1	APPROVED (Signature of State Archivist): <i>Paul E. Baran</i>	DATE SIGNED: 11/22/2013
APPROVED (Signature of RMLO): <i>Mary Lou Kramer</i>	DATE SIGNED: 11/19/2013	APPROVED (Signature of Public Records Administrator): <i>LeAnn R. Power</i>	EFFECTIVE DATE OF SCHEDULE: 11/22/2013

Series #	Records Series Title	Description	Retention	Disposition	Notes
A.	Permits and Authorizations				
1.	Wastewater Discharge Permits and Authorizations - Approved	This series documents approved applications for all permits, permit renewals, and permit modifications. Including but not limited to: individual and general permits; correspondence, memos, and notes generated during review and term of permit; tentative decisions (formerly tentative determinations); certificates of publication; certificates of registration; permit revocations /surrender / modifications; emergency and temporary authorizations; and plans, diagrams, and scopes of study submitted to comply with permit requirements excluding Discharge Monitoring Reports (DMRs).	15 years from surrender, revocation, or expiration of permit or authorization	Destroy after receipt of signed Form RC-108	Emergency and temporary authorizations are issued pursuant to CGS Sec. 22a-6k. Pursuant to CGS Sec. 22a-430 and RCSA Sec. 22a-430-3 and 430-4. Records related to individuals or organizations approved to operate under a general permit reside with the bureau/program that issues the approval. See DEEP records retention schedule #9-1-2 Office of Planning and Program Development.

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Series #	Records Series Title	Description	Retention	Disposition	Notes
2.	Wastewater Discharge Permits and Authorizations - Denied or Rejected	This series documents all denied or rejected applications for permits, permit renewals, and permit modifications. Including but not limited to: permit applications and related correspondence leading up to denial or rejection.	5 years from date of denial or rejection	Destroy after receipt of signed Form RC-108	Pursuant to CGS Sec. 22a-430 and RCSA Sec. 22a-430-3 and 430-4.
3.	National Pollutant Discharge Elimination System (NPDES) Permit Program Records	This series documents Environmental Protection Agency (EPA) authorization for DEEP to administer NPDES permit programs regulating discharges into surface waters. Including but not limited to: memorandums of agreement; DEEP program descriptions; Attorney General's statements; annual agreements between EPA and DEEP establishing program commitments; NPDES program memorandums of understanding; performance partnership agreements; compliance strategies; and EPA correspondence concerning delegated and non-delegated federal programs.	Permanent	Retain in agency	Pursuant to Clean Water Act Sec. 402 and 40 CFR 122.

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Series #	Records Series Title	Description	Retention	Disposition	Notes
4.	Pre-treatment Permit Program Records	This series documents EPA authorization for DEEP to administer pre-treatment permit programs regulating discharges to sewage treatment plants. Including but not limited to: memorandums of agreement between EPA and DEEP; DEEP program descriptions; Attorney General's statements; Annual agreements between EPA and DEEP establishing program commitments; memorandums of understanding; performance partnership agreements; compliance strategies; and EPA correspondence concerning delegated and non-delegated federal programs.	Permanent	Retain in agency	Pursuant to 40 CFR 403.
5.	Underground Injection Control (UIC) Permit Program Records	This series documents EPA authorization for DEEP to administer UIC permit programs regulating discharges to ground water. Including but not limited to: memorandums of agreement between EPA and DEEP; DEEP program descriptions; Attorney General's statements; Annual agreements between EPA and DEEP establishing program commitments; memorandums of understanding; performance partnership agreements; compliance strategies; and EPA correspondence concerning delegated and non-delegated federal programs.	Permanent	Retain in agency	Pursuant to 40 CFR 145.

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Series #	Records Series Title	Description	Retention	Disposition	Notes
6.	Water Discharge Monitoring Reports	This series documents reports and correspondence submitted by dischargers, responsible parties, and others outside of DEEP concerning water and wastewater. Including but not limited to: Discharge Monitoring Reports (DMR); other effluent or ambient monitoring data not required to be submitted; summary reports of other monitoring data; and related correspondence.	5 years from date of report	Destroy after receipt of signed Form RC-108	
B. Enforcement					
7.	Administrative Orders and Referrals	This series documents wastewater violations resulting in administrative orders and referrals to the Attorney General, State's Attorney, or EPA. Including but not limited to: administrative, unilateral, or consent orders and supporting documentation; stipulated judgments; enforcement action summaries; penalty calculations; consent order data sheets; reports and plans submitted by violators as required by enforcement actions; and related correspondence.	Permanent	Retain in agency	Pursuant to CGS Sec. 22a-6, 22a-7, 22a-430, 22a-432, 22a-435, 22a-438, and 22a-471.
8.	Administrative Orders and Referrals, Drafts	This series consists of drafts of administrative orders and referrals to the Attorney General, State's Attorney, or EPA resulting from a wastewater violation.	5 years after final order or referral; or most recent draft if final action never taken	Destroy after receipt of signed Form RC-108	

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9.	Notice of Violation / Enforcement Orders Issued	This series documents violation and warning notices issued by the Water Permitting and Enforcement Division following an investigation, inspection, complaint, or file review. Including but not limited to: violation notices; warning notices; DEEP issued approvals and denials of reports and plans submitted by violators as required by enforcement action; letter of final compliance; and related correspondence.	10 years after final disposition of the enforcement action	Destroy after receipt of signed Form RC-108	Pursuant to CGS Sec. 22a-6, 22a-7, 22a-430, 22a-432, 22a-435, 22a-438, and 22a-471.
10.	Investigation and Inspection Records	This series documents periodic reviews of wastewater discharge sources, including compliance inspections, complaint investigations, environmental site assessments, and related activities. Including but not limited to: field reports; site inspection reports; assessment reports; compliance inspection reports; field notes; sample results; photographs and videos.	50 years from date of inspection	Destroy after receipt of signed Form RC-108	Pursuant to CGS Sec. 22a-431.
11.	Non-Compliance Reports	This series documents quarterly non-compliance reports based on raw data submitted by permittees and DEEP monitoring information, and status reports on violator compliance with administrative enforcement.	Until superseded	Destroy after receipt of signed Form RC-108	
C.	Other				

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Series #	Records Series Title	Description	Retention	Disposition	Notes
12.	Program Administration Records	This series documents administration of the Water Permitting and Enforcement Division programs. Including but not limited to: correspondence and memoranda relating to policies, legislation, or regulations not included in any other category herein.	5 years from date of correspondence	Destroy after receipt of signed Form RC-108	May have historical value; contact State Archivist prior to submission of Form RC-108. See DEEP records retention schedule #9-1-2 Office of Planning and Program Development. Once a program is implemented, the administrative records reside with the bureau overseeing the program.

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