

RECORDS RETENTION SCHEDULE
DEPARTMENT OF ENERGY AND ENVIRONMENTAL
PROTECTION

Form RC-050 (Revised 08/2014)



STATE OF CONNECTICUT
 Connecticut State Library
 Office of the Public Records Administrator
 231 Capitol Avenue, Hartford, CT 06106
<http://www.ctstatelibrary.org/>

RECORDS RETENTION
SCHEDULE #
14-2-4R

AGENCY: Department of Energy and Environmental Protection		AGENCY ADDRESS: 79 Elm Street, Hartford, CT 06106		This schedule is: <input type="checkbox"/> ORIGINAL <input checked="" type="checkbox"/> REVISED Superseded schedule number(s): 14-2-4 Combined Annual Pesticide Use Reports-Private Applicators to series #20 and changed retention period.	
DIVISION, UNIT, OR FUNCTION: Pesticide Management Program					
RELEVANT STATUTES & REGULATIONS AND ACRONYMS USED ON THIS SCHEDULE: CGS Sec. 22a-46 through Sec. 22a-66z; Regulations of Connecticut State Agencies (RCSA) Sec. 22a-50-8 and RCSA 22a-66-4; Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7 USC 136).					
RMLO (type or print): Mary Lou Kramer	JOB TITLE OF RMLO (type or print): Paralegal Specialist	APPROVED (Signature of State Archivist): <i>[Signature]</i>		DATE SIGNED: 7/25/19	
APPROVED (Signature of RMLO): <i>[Signature]</i>		DATE SIGNED: 7/25/2019	APPROVED (Signature of Public Records Administrator): <i>[Signature]</i>		EFFECTIVE DATE OF SCHEDULE: 7/25/2019

Series #	Records Series Title	Description	Retention	Disposition	Notes
01.	Inspection Reports	This series consists of reports documenting pesticide inspections of retail marketplaces, applicators, manufacturers, or dealers, including any laboratory analyses.	5 years from date of inspection	Destroy after receipt of signed Form RC-108	Inspections that lead to formal enforcement actions become part of the supporting documentation in #4.
	Field Notes	This series consists of notes made by DEEP staff in the field. Field inspections are made in connection with safety problems, review of certification activities, citizen complaints, suspicion of environmental law violations and other regulatory responsibilities.	Retain for as long as the reports into which they are incorporated	Destroy after receipt of signed Form RC-108	
02.	Complaint Files/Enforcement Files – No Enforcement Taken	This series documents complaints of pesticide laws violations where no enforcement action is taken. Including but not limited to: complaint letters; correspondence; reports; memos; and photos.	6 years after resolution of complaint	Destroy after receipt of signed Form RC-108	

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03.	Complaint/Enforcement Files - Enforcement Orders Issued	This series documents formal enforcement actions for violation of pesticide laws. Including but not limited to: DEEP orders; consent orders; civil penalty notices; and referral to Attorney General, Chief State's Attorney, or EPA; and final decision of hearing officers.	Permanent	Retain in agency or transfer to State Archives	
04.	Complaint/Enforcement Files - Supporting Documentation	This series consists of inspection reports, complaint forms, notices of violation and other documents supporting formal or informal enforcement actions.	6 years from issuance of enforcement	Destroy after receipt of signed Form RC-108	
05.	Hearing Records - Pesticide Enforcement and Registration	This series documents hearings related to pesticide misuse, violations, cancellation, re-classification or variances from regulations. Including but not limited to: notices; petitions, pleadings, motions and intermediate rulings; evidence, objections and rulings; and transcripts.	6 years after completion of hearing	Destroy after receipt of signed Form RC-108	May have historical value; contact State Archivist prior to submission of Form RC-108.
06.	Registration Records - Pesticide Application Businesses	This series documents the registration of pesticide application businesses pursuant to CGS Sec. 22a-66c. Including but not limited to: applications and certificates.	5 years from date certificate expires	Destroy after receipt of signed Form RC-108	Pesticide application business defined pursuant to CGS Sec. 22a-66b. The denial, suspension, or revocation of application business registrations pursuant to CGS Sec. 22a-66e are formal enforcement actions and become part of #3.
07.	Registration Records - Pesticide Distributors and Sellers	This series documents the registration of pesticide sellers and distributors pursuant to CGS Sec. 22a-56. Including but not limited to: applications and certificates.	5 years from date registration expires	Destroy after receipt of signed Form RC-108	The denial, suspension, or revocation of distributor registrations pursuant to CGS Sec. 22a-56a are formal enforcement actions and become part of #3.

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08.	Registration Records – Pesticide Commercial Products	This series documents registration of commercial pesticide products pursuant to CGS Sec. 22a-48(b)(2). Including but not limited to: applications, certificates, labels and related correspondence.	5 years from date certificate expires	Destroy after receipt of signed Form RC-108	All pesticides sold or used in Connecticut must be registered with DEEP Pesticide Program. The manufacturer or distributor is responsible for registering the product.
09.	Registration Records – Pesticide Special Local Need or Emergency	This series documents registration of pesticides permitted under Sections 24(c) or Section 18 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7 USC 136). Including but not limited to: applications, certificates, and related correspondence.	10 years from date certificate expires	Destroy after receipt of signed Form RC-108	Section 18 of FIFRA authorizes EPA to allow states to use a pesticide for an unregistered use for a limited time if EPA determines that emergency conditions exist. Pursuant to Section 24(c) of FIFRA, states may register an additional use of a federally registered pesticide product, or a new end-use product to meet special local needs. May have historical value; contact State Archivist prior to submission of Form RC-108.
10.	Registration Records – Pesticide Application - Withdrawn	This series documents withdrawn pesticide registration applications. Including but not limited to: applications and related correspondence.	1 year from date application received	Destroy after receipt of signed Form RC-108	
11.	Pesticide Product Supporting Data	This series documents the potential effects of pesticides to human health or the environment. Including but not limited to: technical information received in support of pesticide registration and final decisions on variances from regulations pursuant to RCSA Sec. 22a-50-8.	Permanent	Retain in agency	

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12.	Adverse Pesticide Effects Reports	This series consists of reports submitted by companies that make or market pesticide products documenting the adverse effects of pesticides.	1 year from receipt of report	Destroy after receipt of signed Form RC-108	Pursuant to CGS Sec. 22a-52 (b) if at any time after the registration of a pesticide the registrant has additional information regarding unreasonable adverse effects of the pesticide; such information shall be submitted to DEEP.
13.	Pesticide Pre-Notification Registry Records	This series documents Connecticut resident requests for notification of commercial pesticide application to abutting property. Including but not limited to: applications and related correspondence.	3 years from receipt of application	Destroy after receipt of signed Form RC-108	
14.	Applicator and Arborist Certification Records	This series documents certificates and permits issued to arborists and all categories of pesticide applicators pursuant to CGS Sec. 22a-54. Including but not limited to: applications; certificates; and related correspondence.	2 years from date certification expires	Destroy after receipt of signed Form RC-108	Certification period is 5 years. Private applicator defined pursuant to CGS Sec. 22a-47(e). Commercial applicator defined pursuant to CGS Sec. 22a-47(f). The denial, suspension, or revocation of certifications pursuant to CGS Sec. 22a-61(f) are formal enforcement actions and become part of #3.
15.	Applicator and Arborist Certification Exam Records - Pass	This series documents arborists and all categories of pesticide applicators passing pesticide certification exams. Including but not limited to: answer sheets and exam applications.	5 years from date of exam	Destroy after receipt of signed Form RC-108	
16.	Applicator and Arborist Certification Exam Records - Fail	This series documents arborists and all categories of pesticide applicators failing pesticide certification exams. Including but not limited to: answer sheets and exam applications.	2 years from date of exam	Destroy after receipt of signed Form RC-108	

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17.	Applicator and Arborist Certification Exam Records – Administered Exams	This series documents administered pesticide applicator certification and arborist master examinations. Including but not limited to: exams and answer sheets.	5 years from date of test revision	Destroy after receipt of signed Form RC-108	Applicator certification exam administered pursuant to CGS Sec. 22a-54(c)(2).
18.	Applicator and Arborist Certificate Renewal Records	This series documents certificate renewals and continuing education credits for arborists and all categories of pesticide applicators. Including but not limited to: applications; attendance forms; and certificates.	Until certificate is renewed or 1 year after certificate expires if not renewed	Destroy after receipt of signed Form RC-108	Private applicators must obtain 12 credit hours per certification period for renewal of their certificate.
19.	Continuing Education Meeting Records	This series documents private applicator continuing education meetings and seminars approved by DEEP. Including but not limited to: DEEP approval letters, attendance rosters, and agendas.	6 years from date of course	Destroy after receipt of signed Form RC-108	
20.	Annual Pesticide Use Reports – Commercial Applicators, Dealers, and Private Applicators	This series consists of annual use summaries submitted by commercial applicators under CGS Sec. 22a-58(d) and sales records submitted by dealers under RCSA 22a-66-4 and certified private applicators under CSG Sec. 22a-58(c).	10 years from calendar year for which the report is submitted	Destroy after receipt of signed Form RC-108	
21.	Aquatic and Aerial Pesticide Application Records	This series documents permits for aquatic or aerial application of pesticides. Including but not limited to: permits and applications.	5 years from date permit issued/denied	Destroy after receipt of signed Form RC-108	Aquatic pesticide application pursuant to CGS Sec. 22a-66a(h) and Sec. 22a-66z. Aerial pesticide application pursuant to CGS Sec. 22a-54(e)-(j).

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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:** In certain circumstances, records custodians may request permission to dispose of original records that have been imaged or microfilmed provided the public agency is in compliance with the State Library's *Digital Imaging Policy* or *Microfilming Policy*.
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.