

**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  
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1. **SCOPE:** This schedule lists records unique to Department of Energy and Environmental Protection – Inland Water Resources Division 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 (RMLLO), 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

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normal course of business. However, agencies should be aware of any additional recordkeeping requirements established by state or federal statute or regulation.

<b>AGENCY:</b> Department of Energy and Environmental Protection		<b>AGENCY ADDRESS:</b> 79 Elm Street, Hartford, CT 06106		This schedule is: <input type="checkbox"/> ORIGINAL <input checked="" type="checkbox"/> REVISED Superseded schedule number(s): 96-5-1, 96-5-1(A)R
<b>DIVISION, UNIT, OR FUNCTION:</b> Inland Water Resources Division				
<b>RELEVANT STATUTES &amp; REGULATIONS AND ACRONYMS USED ON THIS SCHEDULE:</b> Unless otherwise noted applications, permits and enforcement documents referred to in this retention schedule include the following permit programs: Inland Wetlands & Watercourses (CGS Sec. 22a-36 through 22a-45a); Water Quality Certification (Sec 401, Federal Clean Water Act); Water Diversion (CGS Sec. 22a-365 through 22a-379); Stream Channel Encroachment Lines (CGS Sec. 22a-342 through 22a-349a), Dam Construction (CGS Sec. 22a-401 through 22a-411), and Flood Management Certification (25-68d).				
<b>RMLO (type or print):</b> Mary Lou Kramer	<b>JOB TITLE OF RMLO (type or print):</b> Paralegal Specialist 1	<b>APPROVED (Signature of State Archivist):</b> <i>[Signature]</i>		<b>DATE SIGNED:</b> 6/17/13
<b>APPROVED (Signature of RMLO):</b> <i>[Signature]</i>	<b>DATE SIGNED:</b> 6/10/2013	<b>APPROVED (Signature of Public Records Administrator):</b> <i>[Signature]</i>		<b>EFFECTIVE DATE OF SCHEDULE:</b> 6/14/2013

Series #	Records Series Title	Description	Retention	Disposition	Notes
A.	<b>PERMIT APPLICATIONS AND REGISTRATIONS</b>				
01.	<b>Correspondence - Permit Need Determination</b>	This series consists of correspondence indicating whether permits or certifications are required for specific projects.	10 years from correspondence date if no application is received or enforcement action taken	Destroy after receipt of signed Form RC-108	
02.	<b>Permit Applications – Approved</b>	This series consists of original permit certifications or authorizations as issued; summary staff report; portions of the approved site plan essential to describe authorized activities; permit transfer documentation; technical plan revision letters; and summary hydraulic report.	Permanent/Archival	Retain in agency or transfer to State Archives	

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03.	<b>Permit Applications - Approved - Supporting Documentation</b>	This series consists of all other permit application contents not mentioned in #2 above. Including but not limited to: notice of application; notice of tentative determination; certification of receipt cards; letters; memos; notes; post-permit monitoring/reporting submittals; and inspection reports.	5 years after expiration date of permit/authorization/certificate or 10 years after issue date if no expiration	Destroy after receipt of signed Form RC-108	
04.	<b>Permit Applications- Denied /Withdrawn/ Rejected</b>	This series consists of letter of denial/withdrawal/rejection; summary staff report; portions of the site plan essential to describe proposed activities; and summary hydraulic report.	Permanent	Retain in agency	
05.	<b>Permit Applications - Denied/Withdrawn/ Rejected - Supporting Documentation</b>	This series consists of all other permit application contents not mentioned in #4 above. Including but not limited to: notice of application; notice of tentative determination; certification of receipt cards; letters; memos; notes; and pre-application materials.	2 years from date of denial/withdrawal/rejection letter or, if rejection is appealed to the court, until the appeal is resolved	Destroy after receipt of signed Form RC-108	
06.	<b>Superseded Application Documents</b>	Including but not limited to: all plans; reports; and other documents initially submitted in support of permit applications superseded by new documents submitted by the applicant.	6 months after final action is taken on the application	Destroy after receipt of signed Form RC-108	
07.	<b>Pre-application Materials</b>	Including but not limited to: plans; reports; and other documents submitted in support of all anticipated relevant permit program applications.	1 year from receipt date or upon submittal of final application	Destroy after receipt of signed Form RC-108	

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08.	Hearing Records – Permit Applications Granted or Denied	Including but not limited to exhibits; pleadings and pertinent correspondence; transcriptions; and audio tapes. This series does not include such records maintained by the DEEP Adjudications Unit.	20 years from date of hearing	Destroy after receipt of signed Form RC-108	Pursuant to Water Quality Certification (Clean Water Act Section 401), Water Diversion (CGS Sec. 22a-368); Inland Wetlands & Watercourse (CGS Sec. 22a-39 & 22a-42a), Dam Construction (CGS Sec. 22a-403)
09.	Registrations of Water Diversions	Including but not limited to: documentation on how registrations may have been modified after the original submittal, transfer of registrations to a new registrant, and responses to P.A. 02-102 requiring actual water use reporting for a period of time; registration forms; and descriptions of grandfathered water diversions that existed as of July 1, 1982.	Permanent/Archival	Retain in agency or transfer to State Archives	Pursuant to CGS Sec. 22a-368
<b>B.</b>	<b>STREAM CHANNEL ENCROACHMENT LINE MAPS</b>				
10.	Regulatory Maps	This series consists of record maps showing the surveyed stream channel encroachment line.	Permanent/Archival	Retain in agency or transfer to State Archives	Pursuant to CGS Sec. 22a-343 & 22a-344
11.	Map Adoption Administrative Proceeding Records	This series consists of records of the administrative proceedings held as part of the map adoption process.	Until superseded	Destroy after receipt of signed Form RC-108	Pursuant to CGS Sec. 22a-343 & 22a-344

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12.	Map Consultant Services Files	This series consists of correspondence between the department and its contractor hired to develop stream channel encroachment line maps. Including but not limited to: correspondence; cost estimates; notes of conversations with local officials; reports; and preliminary information necessary to establish such maps.	1 year after date lines adopted, or until any court appeal is resolved	Destroy after receipt of signed Form RC-108	
<b>C. ENFORCEMENT</b>					
13.	Complaint Files – No Enforcement Taken	This series consists of complaints of laws administered by the Division where no enforcement action is taken. Including but not limited to: complaint letters; correspondence; reports; memos; and photos.	5 years after resolution of the complaint	Destroy after receipt of signed Form RC-108	Pursuant to CGS Sec. 22a-36 through 22a-45, CGS Sec. 22a-365 through 22a-379, CGS Sec. 22a-342 through 22a-349a, CGS Sec. 22a-403 through 22a-411, CGS Sec. 25a-68d through 25-68n, Clean Water Act Sec. 401 Water Quality Certification, and general flood and erosion issues.
14.	Complaint/Enforcement Files - Notice of Violation (NOV) / Enforcement Orders Issued	This series consists of notices and enforcement orders issued to violators of laws administered by the Division. Including but not limited to: warning letters; notices of violation; consent orders; administrative civil penalty notices; cease and desist orders; other unilateral orders; referrals to the Attorney General; notice or order issued; documentation of completed supplemental environmental projects (if applicable); and closure memo/letter.	Permanent/Archival	Retain in agency or transfer to State Archives	Pursuant to CGS Sec.22a-39 & 22a-42a, CGS Sec. 22a-368, CGS Sec. 22a-342, CGS Sec. 22a-403 through 22a-411, CGS Sec. 22a-424, CGS Sec. 25-68d through 25-68n

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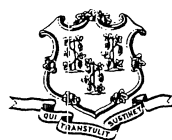
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15.	<b>Complaint/Enforcement Files – Supporting Documentation</b>	All other file contents not mentioned in #14 above consisting of support documentation received or created during an enforcement case. Including, but not limited to: certified cards addressed to the respondent; letters; memos; reports; notes; photos; penalty calculation worksheets; consent order data sheet; and copies of proof of penalty payment.	15 years from violation closure date	Destroy after receipt of signed Form RC-108	
16.	<b>Complaint/Enforcement Files – Supporting Documentation for Dam Safety</b>	All other file contents not mentioned in #14 above relative to Dam Safety consisting of support documentation received or created during an enforcement case. Including, but not limited to: certified cards addressed to the respondent; letters; memos; reports; notes; photos; penalty calculation worksheets; consent order data sheet; and copies of proof of penalty payment.	Permanent/Archival	Retain in agency or transfer to State Archives	Pursuant to CGS Sec. 22a-403 through 22a-411
D.	<b>MUNICIPAL INLAND WETLANDS</b>				
17.	<b>Technical Assistance to Municipal Inland Wetlands and Other Agencies - Request/Reply</b>	Including but not limited to: the request of a town wetland or other agency for DEEP to review a development project; and the written reply(s) of the DEEP.	5 years after the date of the DEEP's response	Destroy after receipt of signed Form RC-108	Pursuant to CGS Section 22a-39

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18.	<b>Technical Assistance to Municipal Inland Wetlands and Other Agencies - Supporting Documentation</b>	This series consists of all other file contents not listed in #17 above. Including but not limited to: background material reviewed as part of the review process (plans, studies, reports, and photos).	5 years after the date of the DEEP's response	Destroy after receipt of signed Form RC-108	Pursuant to CGS Section 22a-39
19.	<b>Municipal Inland Wetlands Agency Reporting/Data Entry Forms</b>	This series consists of forms periodically submitted by municipalities for each municipal inland wetland agency regulatory action.	1 year after DEEP's annual wetland status and trends report is issued	Destroy after receipt of signed Form RC-108	Pursuant to CGS Sec. 22a-39(m)
20.	<b>Annual Non-reporting Municipal Wetlands Agency Correspondence</b>	This series consists of DEEP's municipal inland wetlands agency regulatory action inquiry letters to non-reporting municipal inland wetland agencies and the written letters, memos, or other similar correspondence filed in answer to DEEP's municipal inland inquiry.	10 years from date of receipt	Destroy after receipt of signed Form RC-108	Pursuant to CGS Sec. 22a-39(m)
21.	<b>Municipal Wetlands Agency Contact Information</b>	This series consists of forms received for data entry/publication.	1 year from date of receipt	Destroy after receipt of signed Form RC-108	
22.	<b>Municipal Inland Wetland Commissioners Training Program</b>	Including but not limited to: packets of course materials; final registration and attendance information; certificates of completion; video/DVD recordings; annual training reports; training brochures; annual legislation and regulation advisories; and DEEP-generated presentations.	Permanent	Retain in agency	Pursuant to CGS Section 22a-39(l)

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23.	<b>Municipal Inland Wetland Commissioners Training Program Materials – Supporting Documentation</b>	This series consists of all other file contents not listed in #22 above. Including but not limited to: general correspondence and training course evaluations; voucher/pre-paid registration certificates; and general planning notes.	5 years from date of record	Destroy after receipt of signed Form RC-108	Pursuant to CGS Section 22a-39(l)  Date of record is December 31 of the program year. For programs conducted across multiple years, date of record is December 31 of the latter year.
24.	<b>Conformity Review of Municipal Wetland Agency Regulations – Agency Creation</b>	This series consists of only records pertaining to the municipal ordinance to create an inland wetland agency. Including: original local ordinance creating the local agency and wetland boundary maps.	Permanent/Archival	Retain in agency or transfer to State Archives	Pursuant to CGS Sec. 22a-42 & 22a-42a – municipal creation ordinance
25.	<b>Conformity Review of Municipal Wetland Agency Regulations –Final Regulation</b>	This series contains most current final adopted municipal wetland agency regulation.	Until superseded	Destroy after receipt of signed Form RC-108	Pursuant to CGS Sec. 22a-42 & 22a-42a – current regulation
26.	<b>Conformity Review of Municipal Wetland Agency Regulations – Supporting Documentation</b>	This series consists of all other file contents not listed in #25 above. Including but not limited to: correspondence; and proposed amendments related to the Division's written review of proposed municipal Wetland and Watercourse regulations for conformity with State Law and Regulations.	10 years from date of issuance of final review response document	Destroy after receipt of signed Form RC-108	Pursuant to CGS Sec. 22a-42 & 22a-42a – general



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E.	<b>FLOOD AND EROSION CONTROL / STATE DAM PROJECTS</b>				
27.	<b>Municipal Flood and Erosion Control Assistance Investigation and Technical Data</b>	This series consists of reports of investigations by state, federal and municipal agencies relative to municipal flood and municipal erosion control assistance requests.	Permanent/Archival	Retain in agency or transfer to State Archives	
28.	<b>Federal, State or Municipal Dam &amp; Flood and Erosion Control Construction Projects - Data</b>	This series contains only construction "as-built" plans; project plans (can be excluded if approved construction "as-built" drawings are included); specifications, study data; photos; contract agreements; property rights documentation; permits; inspection reports; correspondence related to the ongoing operation and maintenance; and emergency operation plans.	Permanent/Archival	Retain in agency or transfer to State Archives	
29.	<b>Federal, State or Municipal Dam &amp; Flood and Erosion Control Construction Projects – Supporting Documentation</b>	This series consists of all other file contents not listed in #29 above. Including but not limited to: correspondence relative to project implementation from initiation through construction; copies of all invoices; billing data; bonding information; and meeting summaries.	5 Years after the date of project completion or length of DEEP audit period, whichever is longer	Destroy after receipt of signed Form RC-108	
30.	<b>Municipal Beach Sand Replenishment Projects</b>	Program involving municipal projects to replenish eroded beach sands including contracts and supporting documentation. Including but not limited to: contracts; specifications; site plans; and correspondence.	1 year after date of project completion	Destroy after receipt of signed Form RC-108	

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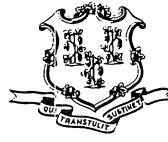
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Series #	Records Series Title	Description	Retention	Disposition	Notes
<b>F. FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)</b>					
31.	<b>Municipal Floodplain Management Correspondence Files</b>	Including but not limited to: correspondence between the FEMA, DEEP and/or Connecticut municipalities relative to their participation in the National Flood Insurance Program. The files also contain correspondence regarding the DEEP's periodic review of their program implementation and review of municipal flood management ordinances; community visits; and contacts.	5 years after the end of the federal fiscal year in which the correspondence or activity occurred	Destroy after receipt of signed Form RC-108	
32.	<b>Municipal Floodplain Maps and Regulations</b>	This series consists of current municipal regulatory maps with supporting studies, as well as the current effective municipal ordinances and regulations.	Until superseded	Destroy after receipt of signed Form RC-108	
33.	<b>Hazard Mitigation Grants - Ruled Eligible by DEEP and Approved by FEMA</b>	Including but not limited to: correspondence; applications; and committee meeting minutes; contracts; invoices; and project plans.	10 years from date of FEMA approval	Destroy after receipt of signed Form RC-108	
34.	<b>Hazard Mitigation Grants - Ruled Eligible by DEEP and Not Approved by FEMA</b>	Including but not limited to: correspondence; applications; committee meeting minutes; contracts; invoices; and project plans.	5 years from date of FEMA disapproval	Destroy after receipt of signed Form RC-108	
35.	<b>Hazard Mitigation Grants - Ruled Not Eligible and Rejected by DEEP</b>	Including but not limited to: correspondence; applications; committee meeting minutes; contracts; invoices; and project plans.	1 year from date of DEEP rejection	Destroy after receipt of signed Form RC-108	

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36.	<b>Floodplain Management - Technical Assistance</b>	Including but not limited to: technical assistance files which contain a request for assistance on a specific development proposal; proposed changes to Flood Insurance Rate Maps; supporting documentation; and response letter from the DEEP summarizing their review of the information.	5 years from date of department's response	Destroy after receipt of signed Form RC-108	
<b>G. DAM SAFETY</b>					
37.	<b>Dam Safety Program – State Administrative Files</b>	This series contains only individual history files on all dams throughout the state organized by municipality. Including but not limited to: Department inspection reports; engineering reports; records of Department enforcement actions; permits issued pursuant to CGS Section 22a-403; and complaints.	Permanent/Archival	Retain in agency or transfer to State Archives	
38.	<b>Dam Inventory and Registration Files</b>	This series contains one page inventory sheets summarizing pertinent data on each dam throughout Connecticut and any documentation relating to dam registration.	Permanent	Retain in agency	
39.	<b>Army Corps of Engineers Construction Projects with the DEEP as Permittee</b>	This series consists of permit; permit application notices; and all application materials.	Permanent	Retain in agency	

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H.	OTHER				
40.	Field Notes	This series contains notes made by DEEP staff in the field; notes are either handwritten or typed into a portable computer. Field inspections are made in connection with safety problems; review of permit applicant or permittee operations; citizen complaints; suspicion of environmental law violations; and other regulatory responsibilities.	Retain for as long as the formal reports into which they are incorporated	Destroy after receipt of signed Form RC-108	

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