

**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 #**

15-4-2

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:** 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.

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<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): 05-1-2; 01-1-1 #2-3,11
<b>DIVISION, UNIT, OR FUNCTION:</b> Bureau of Air Management - Engineering				
<b>RELEVANT STATUTES &amp; REGULATIONS AND ACRONYMS USED ON THIS SCHEDULE:</b> DEEP requirements for Abatement of Air Pollution adopted pursuant to CGS 22a-174 and Sec. 22a-174 and Sec. 4-168b; Clean Air Act (42 U.S.C., Sec. 7401 et. seq.).				
<b>RMLO (type or print):</b> Mary Lou Kramer	<b>JOB TITLE OF RMLO (type or print):</b> Paralegal Specialist	<b>APPROVED (Signature of State Archivist):</b> 	<b>DATE SIGNED:</b> 10/15/15	
<b>APPROVED (Signature of RMLO):</b> 	<b>DATE SIGNED:</b> 10/14/2015	<b>APPROVED (Signature of Public Records Administrator):</b> 	<b>EFFECTIVE DATE OF SCHEDULE:</b> 10/15/15	

The Title V permit program applies to owners or operators of any of the following: any facility which includes an emissions unit subject to: New Source Performance Standards (NSPS) (40 CFR Part 60); National Emission Standards for Hazardous Air Pollutants (NESHAPS) (40 CFR Parts 61 and 63); chemical accident prevention provisions (40 CFR Part 68); or federal acid rain program requirements (40 CFR Parts 72 - 78, inclusive); any facility which includes a municipal waste combustion unit with the capacity to burn greater than 35 Mg per day of residential, commercial and/or institutional discards (i.e., a facility which is subject to Section 129(e) of the Clean Air Act); any facility which has the potential to emit, including fugitive emissions to the extent quantifiable: 10 tons per year (TPY) or more of any one hazardous air pollutant (HAP) listed in Section 112(b) of the Clean Air Act, except hydrogen sulfide and caprolactam; or 25 TPY or more of any combination of HAPs listed in the Section 112(b) of the Clean Air Act, except hydrogen sulfide and caprolactam, or the quantity established by the Administrator of the US Environmental Protection Agency (EPA) pursuant to 40 CFR Part 63; 100 TPY or more of any regulated air pollutant that is not a greenhouse gas (GHG); 50 TPY or more of volatile organic compounds (VOCs) or nitrogen oxides (NOx) in a serious ozone nonattainment area; 25 TPY or more of VOCs or NOx in a severe ozone nonattainment area; or 100,000 TPY or more of GHG (CO<sub>2e</sub> basis) and 100 TPY or more of GHG (mass basis).

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Series #	Records Series Title	Description	Retention	Disposition	Notes
01.	<b>New Source Review (NSR) Permit Records – Non Title V Facility</b>	This series documents New Source Review (NSR) permits issued to new and modified stationary sources of air pollutants pursuant to RCSA Sec. 22a-174-3a and former RCSA Sec. 19-508-3 and Sec. 22a-174-3. Examples of stationary sources include, but are not limited to: boilers; incinerators; rock crushing operations; chemical reactors and mixers; paint spray booths; surface treatment operations; printing operations; volatile liquid storage tanks; and other manufacturing or processing operations. Including but not limited to: permit applications; correspondence, memorandum, and notes pertaining to permit issuance; engineering calculations; modeling results; engineering evaluations; draft permits and tentative determinations; non-adjudicative public informational hearings; referrals, which may include enforcement; stack testing; modeling; or inspection, inventory or publication requests ; and Final Permits.	60 days from date of renewal, revocation, or expiration of permit	Destroy after receipt of signed Form RC-108	Archival review required.  Pursuant to 42 U.S.C., Sec. 7401 <i>et. seq</i> and CGS Sec. 22a-170 and Sec. 22a-174.  Procedural requirements for New Source Review permitting pursuant to RCSA Sec. 22a-174-2a.  Files are organized alphabetically by town and alphabetically by company name within town.

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02.	<b>New Source Review (NSR) Permit Records –Title V Facility</b>	This series documents New Source Review (NSR) permits issued to new and modified stationary sources of air pollutants pursuant to RCSA Sec. 22a-174-3a and former RCSA Sec. 19-508-3 and Sec. 22a-174-3. Including but not limited to: permit applications; correspondence, memorandum, and notes pertaining to permit issuance; engineering calculations; modeling results; engineering evaluations; draft permits and tentative determinations; non-adjudicative public informational hearings; referrals; and Final Permits.	60 days after renewal or revocation or expiration of the Title V Permit.	Destroy after receipt of signed Form RC-108	<p>Archival review required.</p> <p>Pursuant to 42 U.S.C., Sec. 7401 <i>et. seq</i> and CGS Sec. 22a-170 and Sec. 22a-174.</p> <p>Procedural requirements for New Source Review permitting pursuant to RCSA Sec. 22a-174-2a.</p> <p>Referrals may include: enforcement; stack testing; modeling; inspection requests; inventory requests; or requests for publication.</p> <p>Files organized alphabetically by town and alphabetically by company name within town.</p>

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03.	<b>Title IV, Title V, and Clean Air Interstate Rule (CAIR) Permit Records</b>	This series documents Title IV (acid rain), Title V and Clean Air Interstate Rule (CAIR) permits issued to sources of air pollution. Including but not limited to: permit application; correspondence, memorandum and notes pertaining to permit issuance; engineering calculations; technical support documents (TSD); draft permits and tentative determination letters; non-adjudicative public informational hearings; and final permits.	60 days from date of renewal, revocation, or expiration of permit	Destroy after receipt of signed Form RC-108	<p>Archival review required.</p> <p>Acid Rain Permits issued pursuant to 40 CFR §72.73.</p> <p>Title IV source defined pursuant to CGS Sec. 22a-197(9). Procedural requirements for Title V permitting pursuant to RCSA Sec. 22a-174-2a.</p> <p>DEEP Bureau of Air Management established the Title V operating permit program pursuant to RCSA Sec. 22a-174-33, to meet the Clean Air Act Amendments of 1990 (CAAA).</p> <p>CAIR permits issued pursuant to RCSA Sec. 22a-174-22c</p> <p>Files are organized alphabetically by town and alphabetically by company name within town.</p>
04.	<b>Title V Authorized Representative Approval Records</b>	This series documents the signatory responsibility records for the submission of any Title V related documents to DEEP pursuant to RCSA Sec. 22a-174-2a(a)(2)(B). Including but not limited to: Written Authorization Form.	60 days from date of replacement, revocation or expiration of Title V permit, whichever is earlier	Destroy after receipt of signed Form RC-108	Procedural requirements for Title V permitting pursuant to RCSA Sec. 22a-174-2a(a)(2)(B)

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Series #	Records Series Title	Description	Retention	Disposition	Notes
05.	<b>General Permit Registration Records</b>	This series documents registrations issued to New Source Review General Permits (GPNSR) and General Permit to Limit Potential to Emit (GPLPE) registrants pursuant to RCSA Sec. 22a-174-3a & Sec. 22a-174-33, former RCSA Sec. 22a-174-3 and CGS Sec. 22a-174(k). Including but not limited to: registration applications; correspondence, memorandums, and notes; engineering calculations; engineering evaluations; and Approval of Registrations.	60 days from date of expiration or revocation of the Approval of Registration	Destroy after receipt of signed Form RC-108	Archival review required.  Permits may include but are not limited to New Source Review General Permits (GPNSR) and General Permit to Limit Potential to Emit (GPLPE).  New Source Review General Permits (GPNSR) obsolete effective January 2013.  Files organized alphabetically by town and alphabetically by company name within town.
06.	<b>Air Pollution Emergency and Temporary Authorization Records</b>	This series documents emergency and temporary authorizations issued to sources of air pollution pursuant to CGS Sec. 22a-181. Including but not limited to: applications; correspondence, memorandum, and notes; engineering calculations; engineering evaluations; and final authorizations.	60 days from date of expiration or revocation of the authorization	Transfer to State Archives	Pursuant to CGS Sec. 22a-181 if an air pollution emergency exists that requires immediate action to protect the public health or safety, DEEP may order any person causing air pollution to reduce or discontinue air pollution immediately.  Files are organized alphabetically by town and alphabetically by company name within town.
07.	<b>Air Emission Permit Exemption Records – Non-Title V Facility</b>	This series documents non-Title V air emission sources exempt from permit requirements pursuant to RCSA Sec. 22a-174-3a. Including but not limited to: permit applications; correspondence, memorandum and notes; engineering calculations; engineering evaluation; and letter of determination.	60 days from date of determination letter	Destroy after receipt of signed Form RC-108	Files are organized alphabetically by town and alphabetically by company name within town.

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08.	<b>Air Emission Permit Exemption Records – Title V Facility</b>	This series documents Title V air emission sources exempt from permit requirements pursuant to RCSA Sec. 22a-174-33. Including but not limited to: permit applications; correspondence, memorandums and notes; engineering calculations; engineering evaluations; and letters of determination.	60 days from renewal, revocation, or expiration of Title V permit	Destroy after receipt of signed Form RC-108	Files are organized alphabetically by town and alphabetically by company name within town.
09.	<b>Applicability Determination Records</b>	This series documents DEEP review of air emissions sources to ensure compliance with applicable Federal and State Air Regulations and exemptions or permits are secured. Including but not limited to: correspondence, memorandums, and notes; and applicability determinations.	30 years from date of determination	Destroy after receipt of signed Form RC-108	Archival review required. Files are organized alphabetically by town and alphabetically by company name within town.
10.	<b>Air Emission Permit Records - Withdrawn</b>	This series documents applicant withdrawn permit applications for air emission sources. Including but not limited to: permit applications; correspondence, memorandums, and notes; and letters of withdrawal from applicant.	60 days from date of withdrawal letter	Destroy after receipt of signed Form RC-108	Files are organized alphabetically by town and alphabetically by company name within town.
11.	<b>Air Emission Permit Records - Rejected</b>	This series documents incomplete air emission permits applications rejected by DEEP for insufficient information pursuant to CGS 22a-6(a)(4). Including but not limited to: permit applications; correspondence, memorandum, and notes; engineering calculations; and letter of rejection.	60 days from date of rejection letter	Destroy after receipt of signed Form RC-108	Files are organized alphabetically by town and alphabetically by company name within town.

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12.	<b>Air Emission Permit Records - Denied</b>	This series documents air emission permit applications denied by DEEP for failure to comply with State Air Regulations pursuant to CGS Sec. 22a-6(a)(4). Including but not limited to: permit applications; correspondence, memorandum, and notes; engineering calculations; engineering evaluations; tentative determination letter; public hearing documents; and letter of denial.	5 years from date of denial letter	Destroy after receipt of signed Form RC-108	Files are organized alphabetically by town and alphabetically by company name within town.
13.	<b>Emergency Episode Plans</b>	This series documents emergency episode plans submitted to DEEP by major sources of air pollution pursuant to RCSA Sec.22a-174-6. Including but not limited to: plans and supporting documentation.	60 days after submission of new plan or shut down of facility, whichever is earlier	Destroy after receipt of signed Form RC-108	In the event of an emergency episode, the Emergency Episode Plan becomes part of series #14.  Files are organized alphabetically by town and alphabetically by company name within town.
14.	<b>Emergency Episode Records</b>	This series documents emergency episode events pursuant to RCSA Sec.22a-174-6. Including but not limited to: emergency episode plans and plans of action at each stage of emergency.	Permanent	Retain in agency or transfer to State Archives	
15.	<b>Tax Abatement Records</b>	This series documents tax abatement requests submitted by owners of air pollution control equipment . Including but not limited to: requests and supporting documentation.	20 years from the date of approval or submittal, whichever is later	Destroy after receipt of signed Form RC-108	Files are organized alphabetically by town and alphabetically by company name within town.
16.	<b>Point Source Emissions Inventory Records</b>	This series documents air emission data from specific facilities such as industry, manufacturers, utility power plants, area sources such as gas stations, dry cleaners, consumer products, and mobile pollutant sources such as automobiles, construction equipment, aircraft, buses and trucks. Including but not limited to: inventories and supporting documentation.	99 years from date of submission	Destroy after receipt of signed Form RC-108	Archival review required.



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17.	<b>Point Source Emissions Registration Records</b>	This series documents registration of facilities having pollutant emitting equipment prior to 1976 pursuant to RCSA Sec. 22a-174-4 and former RCSA Sec. 19-508-2 and Sec. 22a-174-2. Including but not limited to: applications; approvals; registration cards; and supporting documentation.	99 years from date of submission	Destroy after receipt of signed Form RC-108	Archival review required.
18.	<b>Emission Statement Records</b>	This series documents annual emission statements submitted to the Department by state authorized sources of air pollutants in excess of 25 tons per year pursuant to Sec. 182(a)(3)(B) of the Federal Clean Air Act. Including but not limited to: emission statements and supporting documentation.	30 years from date of submission	Destroy after receipt of signed Form RC-108	DEEP obtains point source emissions information through an annual emissions statement report that is submitted by the owner of a source of air pollution in the state. Annual data reporting begins in the first quarter of the year for the annual data of the preceding year.  Filed by year (starting with 1992), then alphabetically) by town.
19.	<b>Emission Fee Program Assessment Records</b>	This series documents the establishment of emissions-based fees imposed on emitters of more than 25 tons per year pursuant to the Federal Clean Air Act. Including but not limited to: assessments and related correspondence.	3 years or until fee assessment audited by Environmental Protection Agency (EPA), whichever is later	Destroy after receipt of signed Form RC-108	
20.	<b>Emission Fee Collection Records</b>	This series documents annual fees sent to specific permittees. Including but not limited to: reports tracking payments; refunds; rebills; disputes; adjustments and appeals; and related correspondence.	3 years after generated or audited by EPA or state, whichever is later	Destroy after receipt of signed Form RC-108	Filed by year, then by invoice number.
21.	<b>Subscriber Agreement and Electronic Signature Records</b>	This series applies to all filings using an electronic signature, or "eSignature", as an alternative to using paper forms to fulfill filing requirements for applicable Connecticut and federal law and regulations.	30 years from date of submission or 60 days after date of replacement of subscriber agreement application, whichever is earlier	Destroy after receipt of signed Form RC-108	

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22.	<b>Area Emission Source Survey Records</b>	[ <i>OBSELETE</i> ] This series documents annual reports submitted to DEEP by air pollutant emitters indicating types and quantities of air pollutants emitted pursuant to RCSA 22a-174-4(d)(1). Emitters include, but are not limited to: airports; municipalities; gasoline terminals; and railroad stations. Including but not limited to: surveys; reports; and related correspondence.	15 years from date of receipt	Transfer to State Archives	Airports document the number of airplanes flown in the state annually; municipalities document the amount of liquid asphalt used annually; gasoline terminals document the number of oil barges that unloaded oil in the state annually; and railroad stations document how many gallons of fuel oil were used and the amount of miles trains travelled in the state annually.  Regulations for airplanes, oil badges at gasoline terminals and railroad have not been amended but surveys designated obsolete effective 2002 due to resources and funding. Submission of liquid asphalt surveys designated obsolete effective 2007 with amendment to RCSA Sec. 22a-174-20(k).
23.	<b>Permit Modeling Records</b>	This series documents air quality modeling to assess potential impacts of emissions from stationary sources of air pollution that apply for and obtain permits prior to construction, modification, or operation of the source pursuant to RCSA Sec. 22a-174-3a or former RCSA Sec. 22a-174-3. Including but not limited to: Plot Plans; Screening Analysis, and Refined Modeling Analysis.	10 years from date permit issued or analysis completed, whichever is later	Destroy after receipt of signed Form RC-108	Pursuant to RCSA Sec. 22a-174-3a owners of any source of air pollution must demonstrate that the operation of the source will not cause or contribute significantly to a violation of any federal or state air quality standard.