

100-RICR-50-20-15

TITLE 100 – DEPARTMENT OF STATE

CHAPTER 50 – PUBLIC RECORDS ADMINISTRATION

SUBCHAPTER 20 – STATE AGENCY RECORDS RETENTION SCHEDULES

PART 15 – DEPARTMENT OF ENVIRONMENTAL MANAGEMENT RECORDS (DEM)

15.1 Purpose, Authority, Severability, and Destruction

15.1.1 Purpose

To establish the official retention, maintenance, and disposal requirements for a public record based upon any administrative, legal, fiscal, and/or historical value related to that record created or received by an agency, department, division, board, commission, office, or quasi-public corporation under any branch of State or local government which performs functions relating to government, or acts on behalf of a governmental agency, pursuant to law or relating to the transaction of public business.

15.1.2 Authority

This Regulation is promulgated pursuant to the authority granted in R.I. Gen. Laws Title 38 (“Public Records”), including expressly but without limitation R.I. Gen. Laws §§ 38-3-1 et seq.

15.1.3 Severability

If any provision of these Regulations or the application thereof to any Person or circumstances is held invalid by a court of competent jurisdiction, the validity of the remainder of the regulations shall not be affected thereby.

15.1.4 Destruction Review Procedure

Government employees should also consult with their administration to determine if any records eligible for destruction may be involved in current, pending, or anticipated litigation, any government investigation or regulatory proceeding, or request under the Access to Public Records Act. (Part 10-2 of this Chapter (Legal Records) and R.I. Gen. Laws Chapter 38-2)

DEM1 Division of Law Enforcement

DEM1.1 Complaint

DEM1.1.1 Case Log/Register of Incidents/Offences

Log of case numbers, date reported or known, time reported, offense, circumstances, complainant, address, officer assigned, action taken.

Retention: Permanent.

DEM1.1.2 Case Report Files

Case report, follow-up/supplementals, animal complaints, motor vehicle accidents, boating accidents, drownings, hunting related incidents and shooting.

Note: The following retention periods apply unless a case is in litigation.

DEM1.1.2A Criminal Incidents

Retention: Retain until expiration of statute of limitations.

DEM1.1.2B Non-Criminal Incidents

Retention: Retain three (3) years.

DEM1.1.2C Animal Complaints

Retention: Retain three (3) years.

DEM1.1.2D Motor Vehicle Accidents

If not covered by other categories.

Retention: Retain three (3) years.

DEM1.1.2E Boating Accidents

If not covered by other categories.

Retention: Retain three (3) years.

DEM1.1.2F Accidental Deaths and Injuries on DEM Property

Retention: Permanent.

DEM1.1.2G Hunting Related Incidents and Shootings

If not covered by other categories.

Retention: Retain three (3) years.

DEM1.1.3 Day Sheets/Dispatch Log

Compilation of complaints, time and date received, officer assigned, case numbers and arrest numbers assigned, location of call, may include weather and other data.

Retention: Retain five (5) years.

DEM1.1.4 Dispatch Tapes

Audio tapes of calls received and dispatch instructions.

Retention: Retain six (6) months before re-use.

DEM1.2 Patrol

DEM1.2.1 Work Schedules

Monthly roster for work/shifts, includes officers' names, area to patrol, special duties or activities.

Retention: Retain three (3) years.

DEM1.2.2 Monthly Vehicle Mileage Reports

Daily entries for starting mileage, fuel, service, repairs and driver's remarks.

Retention: Retain two (2) years.

DEM1.2.3 Monthly Vehicle Condition Reports

Includes a safety checklist, the condition check list, and an equipment check list.

Retention: Retain three (3) years.

DEM1.2.4 Boat Logs

Filled out each time a patrol boat is used, includes date, weather, engine hours start/finish, crew, area patrolled, and any problems or repairs needed.

Retention: Retain three (3) years.

DEM1.2.5 Boat Maintenance & Equipment Report

Monthly boat inspection report, includes condition, defects and service performed for each boat, outboard motor, and trailer.

Retention: Retain three (3) years.

DEM1.2.6 Environmental Police Officer Work Reports

This report is filled out weekly, listing the officer's name, time started, vehicle and mileage, work performed each day.

Retention: Retain three (3) years.

DEM1.2.7 Park Police Officer Work Reports

This report is filled out weekly, listing the officer's name, time started, vehicle and mileage, work performed each day.

Retention: Retain three (3) years.

DEM1.2.8 Overtime and Detail Report

Filed by officer for overtime work or detail in parks. Includes summary information on number of arrests, written warnings, RITT tickets issued and number of verbal warnings/contacts made.

Retention: Retain three (3) years.

DEM1.3 Traffic

DEM1.3.1 Summons Books

Book of summonses for violations relating to the operation, control, or maintenance of a motor vehicle. Also called citations, tags, or tickets.

DEM1.3.1A Issued Summonses – Dept. Copy (RITT)

Retention: Retain one (1) year after final disposition and audit.

DEM1.3.1B Summons Book Summary Sheets (RITT)

Retention: Retain three (3) years.

DEM1.3.1C Summons Book Receipts (Stubs)

Retention: Retain one (1) year.

DEM1.3.1D Spoiled/Voided Summonses (RITT)

Retention: Retain one (1) year.

DEM1.3.2 Transmittal Lists

List of summonses issued. Includes summons number, offender's name, officer's number, date, whether paid or hearing required.

Retention: Retain one (1) year.

DEM1.4 Vehicles, Boats, and Equipment

DEM1.4.1 Vehicle Files

Records relating to each vehicle owned by the Division. May include acceptance report, registration, maintenance records, check list, repair, incident, accident reports.

Retention: Retain three (3) years after disposal of vehicle and completion of audit.

DEM1.4.2 Patrol Boat Files

Records relating to each boat owned by the Division. May include acceptance report, registration, maintenance records, checklist, repair, incident, accident reports.

Retention: Retain three (3) years after disposal of boat and completion of audit.

DEM1.4.3 Equipment Files

Records relating to each piece of high tech equipment (GPSs, speed guns, night vision, breathalysers) owned by the Division. May include acceptance report, registration, maintenance records, checklist, repair, and damage reports.

Retention: Retain three (3) years after disposal of equipment and completion of audit.

DEM1.5 Arrest

DEM1.5.1 Arrest Log

Log lists the arrest number, date, name and alias, address, personal identification data, offence, facts of arrest, and final disposition and date.

Retention: Permanent.

DEM1.5.2 Arrest Cards

Information recorded may include name, address, date of birth, physical description, offense, arrest number, and disposition of case. Acts as an index to arrest files.

Retention: Purge with related Arrest File DEM1.5.5.

DEM1.5.3 Fingerprint Cards

Fingerprints of arrested persons.

Retention: Purge with related Arrest File DEM1.5.5.

DEM1.5.4 Mug Shots

Photographs of arrested persons.

Retention: Purge with related Arrest File DEM1.5.5.

DEM1.5.5 Arrest Files

File for each adult arrested. May include: case report, arrest report, investigation reports, summons skips, witness statements, Miranda rights form, search warrant, consent to search form, seizure report, inventory, information package, court complaint, forfeiture complaint, disposition documents, mug shot, finger print card, scientific test request and results.

Retention: Retain until person is known dead or presumed dead at age eighty-five (85).

DEM1.5.6 Written Warnings

Summons slips used for written warnings.

Retention: Retain five (5) years.

DEM1.5.7 Evidence/Seized Property Log

List of property or evidence seized.

Retention: Retain seven (7) years after final disposition of all entries.

DEM1.5.8 Certificates of Destruction of Firearms and Other Evidence

Files contain certificates of destruction of firearms, weapons, drugs, boats, motors and other evidence forfeited to the state that cannot be legally sold or returned to owner.

Retention: Retain ten (10) years.

Note: If related to a case in litigation, then retain during litigation and for a period of seven (7) years after disposition of litigation.

DEM1.6 Juvenile

DEM1.6.1 Juvenile Arrest Log

Log lists the arrest number, date, name and alias, address, personal identification data, offense, facts of arrest, and final disposition and date.

Retention: Retain three (3) years after last entry.

DEM1.6.2 Juvenile Arrest Cards

Information recorded may include name, address, date of birth, physical description, offense, arrest number, and disposition of case. Acts as an index to arrest files.

Retention: Purge with related Arrest File DEM1.6.3.

DEM1.6.3 Juvenile Arrest Files

File for each juvenile arrested. May include: case report, arrest report, investigations reports, summons slips, witness statements, search warrant, consent to search form, seizure report, inventory, court complaint, forfeiture complaint, disposition documents, mug shot, fingerprint card, scientific test request and results.

Retention: Records must be kept separate and apart from adult arrest records. Current practice is to seal records at age eighteen (18).

DEM1.7 Prosecution

DEM1.7.1 Arraignment Lists

List contains the names of defendants, date, court, and charges.

Retention: Retain three (3) years.

DEM1.7.2 Court Case Logs

Log contains defendants' names, DOBs, addresses, dates, court, the charges, Judges' names, and case dispositions.

Retention: Retain three (3) years.

DEM1.8 Background Checks and License & Dealers Files

DEM1.8.1 Criminal Background Checks Files

Background checks for Deer Damage Permits, Hunter Safety Instructors, Special Fisheries Programs, and other requests from other Divisions for special programs.

Retention: Retain one (1) year.

DEM1.8.2 License & Dealers Administrative Action Files

Files contain requests for license suspensions or revocation, orders of license suspension or revocation, memos, and correspondence.

Retention: Retain fifteen (15) years.

DEM1.9 Administration, Policy and Reports

DEM1.9.1 Crime Analysis Bulletins

Notification for internal force on crime activity. Reports on crime patterns may be by type of crime, modus operandi, of area, and may include charts, computer print-outs, and suspect information.

Retention: Retain one (1) year.

DEM1.9.2 Reports

Internally generated reports including, but not limited to, manpower, operations, analysis, crime comparison, inspection, watch, or other statistical and summary reports.

DEM1.9.2A Daily and Weekly Reports

Retention: Retain one (1) year.

DEM1.9.2B Monthly and Quarterly Reports

Retention: Retain three (3) years.

DEM1.9.2C Periodic Reports

Retention: Retain three (3) years.

DEM1.9.2D Special Reports

Retention: Permanent.

DEM1.9.2E Annual Reports

Retention: Permanent.

DEM1.9.3 Uniform Crime Report (UCR)

Monthly count of offences and stolen and recovered property values sent to the State Police.

Retention: Retain five (5) years.

Note: State Police retain this as a permanent record.

DEM1.9.4 Directives

Official statements of police operating procedure and standards. May include general or special orders, memoranda, Rules and Regulations.

Retention: Permanent — one (1) record copy signed or issued by Department or Division Head.

DEM1.9.5 Signature Returns

Sign-off sheets acknowledging receipt by individuals of named documents.

Retention: Retain three (3) years.

DEM1.9.6 Certificates of Records Destruction [LEGACY – DUPLICATE]

Certification of Records Destruction forms signed by authorized agency official and submitted to, and signed by, the State Archivist/Public Records Administrator. Certificates authorize the disposal of records listed in this and other applicable schedules. (R.I. Gen. Laws §§ 38-1-10, 38-3-6, and 42-8.1-10)

Retention: Permanent.

See Also: This record series is for information only, see GRS6.8B (Certificates of Records Destruction).

DEM1.9.7 Civilian Complaint Files

Investigations of complaints of alleged officer misconduct. May include reports, correspondence, statements, investigation documentation, findings, and disposition.

DEM1.9.7A Complaint Unfounded, Not Sustained

Retention: Retain seven (7) years after final action taken.

DEM1.9.7B Complaint Sustained

Retention: Retain seven (7) years after final action taken.

DEM1.9.8 Use of Force Report Files

Officers are required to submit written reports when they discharge their firearms, use non-lethal weapon, or when non-lethal force is used on a person.

Retention: Retain seven (7) years.

DEM1.9.9 Grant Files

Documents the development of grant proposals and the administration of grant awards and programs/projects. Records may include application, management, financial, and programmatic papers, supporting documentation, and statistical records.

DEM1.9.9A Grant Applications and Amendments, Products/Publications, Surveys, Final Performance, Disposition and Expenditure Reports

Retention: Permanent.

DEM1.9.9B Financial and Programmatic Records, Periodic Performance Reports, Supporting Documents, Statistical Records, Other Required and Pertinent Records

Retention: Retain ten (10) years from submission of closeout and final expenditure report.

DEM1.9.9C Unsuccessful Grant Applications

Retention: Retain three (3) years.

DEM1.9.10 Boating Accident Investigation Reports – Master Files

Files contain reports of accident involving personal injury or property damage of five hundred dollars (\$500.00) or more, and marine larcenies. Under R.I. Gen. Laws §§ 46-22-21 and 22, the agency is the central clearinghouse for these reports (as the Registry of Motor Vehicles is for motor vehicle accidents).

Retention: Permanent.

DEM1.9.11 Boating Safety Education Exam Records

Each record is comprised of two (2) pages – page one (1) is the application for the State Certificate of Completion of a boating safety course (name, address, DOB, where, who sponsored, who instructed, and completion date of the course). This information is now being copied to electronic media. Page two (2) is the test answer sheet.

Retention: Retain fifty (50) years.

Note: Lifetime certification.

DEM1.9.12 Hunting and Hunting Related Incident Report Files

Files contain a Hunting and Hunting Related Incident Report (International Hunter Education Association) in addition to the standard incident, and other reports. This is a State central file.

Retention: Permanent.

DEM2 Office of Boat Registration and Licensing

DEM2.1 Boat Registration Records

Registration of used and new watercraft over a certain length, as specified by regulation. Registrations are issued for the purposes of confirming title. Records document the registration process. Included are individual registration application cards or forms and supporting documentation, including copies of bill of sale, manufacturer statement of origin, and application for initial vessel certificate of title and copies of current certificate of title.

Retention: Retain five (5) years.

DEM2.2 Boat Motor Registration Records

Registration of outboard boat motors is mandatory in the State of Rhode Island. Outboard motors bought separately from watercraft are taxable. Records include registration cards containing applicant information and description of motor, bills of sale, and proof of sales tax forms.

Retention: Retain five (5) years.

DEM2.3 Vessel Title Files

Documents DEM's issuance of certificates of title as proof of vessel proprietorship. Also includes records related to financial obligations and record liens on vessels. New file is opened each a time an individual vessel's ownership changes hands. Files are organized in chronological order and retrievable by owner name or vessel registration number. Index to files has been computer stored since 1989. Documents include an application for certificate of title, a copy of the issued certificate of title, a bill of sale, and lien holder verification forms. Certificate of Title includes registration number, hull identification number, manufacturer name, model year and name of owner. Files also include previous titles and other supporting documentation. Each file represents a single transaction for each boat.

Retention: Retain ten (10) years.

DEM2.4 Fishing License Records

Issuance of annual fishing licenses is an instrument that enables DEM to manage and regulate the State's fishery. Series documents issuance of various types of individual fishing licenses by DEM as well as by DEM-authorized agents at various locations around the State (DEM2.9 (Licensing Agent Application Records)). Included are copies of licenses issued by DEM, and copies of licenses forwarded to DEM by licensed agents, and licenses returned. Records include several classes of individual fishing licenses, including but not limited to, licenses issued to Rhode Island residents, non-residents, disabled individuals, senior citizens as well as non-resident shell fishing licenses, and tourist fishing licenses.

Retention: Retain five (5) years.

DEM2.5 Commercial Fishing License Registration Records

Documents the issuance of annual commercial fishing licenses to individuals, vessel owners and crewmember applicants. The issuance of commercial licenses enables DEM to manage and regulate the State's fishery. Commercial licenses are issued to individuals in the fishery community in accordance with priority or preference status of applicants (as determined by criteria set in State law and Regulation). Series documents the commercial fishing license application and approval process both for new and renewal applications under R.I. Gen. Laws §§ 20-2.1-4, 20-2.1-5, and 20-2.1-6. The nature and maximum number of commercial licenses periodically changes in order to take account of the evolving state of the fishery and the current circumstances of the

commercial fishing community. Currently, categories of commercial licenses available on a restricted basis include resident and non-resident Principal Effort, Multipurpose, Multi-Purpose with Gill Net, Commercial Fishing, and Student Shellfish licenses. Documents include completed applications forms, notarized affidavits in support of commercial fishing license application, taxpayer certification form, supporting documentation, and copies of outgoing DEM letters of decision. Application form includes personal applicant data, type of gear, type of commercial license being requested as well as indication of species applicant wants to fish, including annually restricted species. File may also include documentation attesting to priority status, and Commercial Vessel Declaration Application form.

Retention: Retain five (5) years.

DEM2.6 Landing Permit Records

Documents issuance of various categories of fish landing permits to residents and non-residents under R.I Gen. Laws § 20-4-1.2. Licenses enable commercial vessels to off-load or land marine seafood products legally harvested outside Rhode Island waters for sale or intended sale in Rhode Island, or to secure a vessel with the seafood products on board to a shore side facility where the products may be off-loaded for sale or intended sale. The landing permit is valid for one calendar year.

Retention: Retain five (5) years.

DEM2.7 Hunting Permits

Documents issuance of various types of annual individual hunting permits by DEM as well as by others authorized by DEM as licensing agents. Included are copies of issued licenses, copies of licenses forwarded to DEM by licensed agents, licenses returned as well as supporting documentation, and hunter safety certification. Series includes several categories of individual hunting licenses, including, but not limited to, licenses issued to Rhode Island residents as well as non-residents, deer permits, night hunting permits, landowner permits, property depredations permits, and disabled individuals permits. Documentation consists of agent copies of permits, and may also include deer tags, hip cards (migratory bird permit), waterfowl stamps, and returned turkey permits. Record may also include copies of certificates of competency required of first-time hunters. (R.I. Gen. Laws §§ 20-13-4 and 20-15-2)

Retention: Retain five (5) years.

DEM2.8 License Vendor Reports

Computer generated reports that reflect tallies of monies as well as licenses, tags, and stamps issued by licensed hunting and fishing licensing agents. Included are returned hunting-fishing licenses, deposit receipts, copies of checks, and licenses not issued.

Retention: Retain five (5) years after audit is completed.

DEM2.9 Licensing Agent Application Records

DEM annually authorizes individuals and companies to issue state fishing licenses and hunting permits. Series documents the authorization process. Records include application forms as well as license agency agreements.

Retention: Retain three (3) years.

DEM2.10 Recreational Vehicle Registration Records

Records include application for registration of snowmobiles and other vehicles that may be classed as recreational. Included are application forms, copies of vehicle registration, and bills of sale. The application form includes personal applicant data and information describing the vehicle. Certificate contains above information as well as the registration number assigned and the expiration date.

Retention: Retain five (5) years.

DEM2.11 Department Regulation Abstracts

Pamphlets issued by the department briefly summarizing information on the current fishing, hunting and boating season, including highlights of current Regulations. Also includes relevant maps.

Retention: Retain one (1) year.

See Also: R.I. Gen. Laws § 29-7-5 (Deposits of State Publications).

DEM2.12 Certificates of Records Destruction [LEGACY – DUPLICATE]

Certification of Records Destruction forms signed by the authorized agency official and submitted to, and signed by, the State Archivist/Public Records Administrator. Certificates authorize the disposal of records listed in this and other applicable schedules. (R.I. Gen. Laws §§ 38-1-10, 38-3-6(j), and 42-8.1-10)

Retention: Permanent.

See Also: This record series is for information only, see GRS6.8B (Certificates of Records Destruction).

DEM3 Office of Administrative Adjudication

DEM3.1 Adjudication Case Files

Office of Administrative Adjudication (AAD) is the administrative court for all environmental matters originating from the Department of Environmental Management. Division hears all appeals filed for denials of licenses and permits issued by the Department's various programs. Office also adjudicates all appeals of enforcement actions taken by the many regulatory programs within the Department, and hears enforcement appeals for alleged violations of statutes and/or Regulations under the jurisdiction of the department. Case files document appeals process spanning initial request for hearings, hearing scheduling documents, evidence management, motions and pleadings, pre-hearing conferences, conference proceedings and final decisions. The files also document submission of requests for alternative resolution methods and consent agreements reached before the hearings result in a final decision. Files may include requests for hearings, notices of hearings, and pre-hearing conference documentation, including case scheduling information, exhibits, lists of witnesses, written synopses of anticipated testimony, position summaries and anticipated objections. Files may also include, but are not limited to, documentary evidence, investigative reports, petitions to intervene, motions and pleadings, docket sheets, written arguments of the parties, interlocutory and final orders as well as requests for withdrawal from hearing, and hearing recording and transcripts. Finally, files include Recommended Decisions developed by the Administrative Hearing Officer as well as the Final Decision issued by the director, or remand, where director denies or sets aside AHO recommended decision. Files may also contain Consent Orders, where the parties have found alternate means to dispose of the matter at a point before the Director's issuance of the Final Decision. (R.I. Gen. Laws § 42-17.7-4)

Retention: Permanent.

DEM3.2 Mediation Case Files

DEM offers voluntary, non-binding mediation program to help parties resolve disputes respecting all appeals of DEM enforcement orders. Individuals appealing DEM enforcement decisions may pursue informal mediation instead of, or in parallel with, adjudicative hearings, as well as mediation of decisions enforceable by Superior Court in the absence of a request for a hearing. Series documents AAD mediation process. Records may include copies of notice of violation, mediator notes,

correspondence concerning non-compliance, and letters confirming terms of an agreement.

Retention: Retain five (5) years.

DEM3.3 Certificates of Records Destruction [LEGACY – DUPLICATE]

Certification of Records Destruction forms signed by the authorized agency official and submitted to, and signed by, the State Archivist/Public Records Administrator. Certificates authorize the disposal of records listed in this and other applicable records retention schedules. (R.I. Gen. Laws §§ 38-1-10, 38-3-6(j), and 42-8.1-10)

Retention: Permanent.

See Also: This record series is for information only, see GRS6.8B (Certificates of Records Destruction).

DEM4 Office of Air Resources (OAR)

In accordance with General Records Schedule series GRS1.4 Particular Instance Files, files that contain records documenting significant projects, initiatives, issues, and concerns, are permanent. For the Office of Air Resources these may include, but are not limited to, records relating to Greenhouse Gases Project, Ozone Attainment, Accidental Release Prevention Program, and T.F. Green Air Monitoring. Minutes of Meetings are permanent records. This includes, but is not limited to, minutes of meetings with various stakeholders such as the Business Round Table and the Environmental Roundtable.

DEM4.1 Vehicle Exhaust Emission Inspection Reports

Retention: Retain three (3) years.

See Also: DEM4.5 (Gas Station Stage 2 Inspections Files). For documentation of hearings on Rules and Regulations respecting proposed State standards for vehicle emission levels, see GRS2.5 (Rulemaking Files). For annual reports, see GRS1.5 (Statistical Records & Annual Reports).

DEM4.2 Air Pollution Monitoring Data

OAR manages a network of stationary air sampling filter instruments installed at locations throughout the State. Raw data is collected and then undergoes analysis. Data is used to calculate chargeable emission fees, determine compliance with emission limitations, identify air toxic sources, as well as sources subject to newly promulgated State and

Federal Regulations, respond to citizen inquiries and complaints, and to track the success of emission reduction measures and programs. Analytical results are also transferred to Department of Health air pollution laboratory and to an Environmental Protection Agency database. Files contain information concerning the collection of air monitoring data, as well as correspondence, quality assurance documents, read-outs of raw data, and consolidated reports of the results of air monitoring activities.

Retention: Permanent.

DEM4.3 Company Files

State Rules (Air Pollution Control Regulation No. 14) require that all companies record and report annually on pollutant emissions data; describe activities, processes, and equipment that produce emission, and also explain measures and system requirements for determining facility's regulatory compliance. Files are organized by name of company. Records document OAR monitoring and control of individual company activities as they pertain to pollutant emissions subject to State air pollution Regulations. Individual files include applications to construct, install, or modify equipment, equipment registration forms, air toxics operating permit applications, and a wide variety of completed (annual) air pollution inventory forms for reporting specific types of emissions (including air toxic reports), various equipment sources, various emissions of substances and chemicals and levels of emissions, and emission recovery equipment reports. Files may also include, but are not limited to, complaints against the company, confidential business documents, letters of non-compliance, copies of documents sent by DEM Office of Compliance and Inspection, Administrative Adjudication, or Legal Services concerning action taken against a particular company, and general correspondence.

DEM4.3A Files Documenting Significant Incidents

Retention: Permanent.

DEM4.3B All Others Files

Retention: Retain five (5) years after company closes.

DEM4.4 Dry Cleaner Case Files

Records consist of files on individual dry cleaning businesses. Included are annually filed compliance certification forms, DEM inspection reports, and related correspondence.

Retention: Retain five (5) years after a company closes.

DEM4.5 Gas Station Stage 2 Inspections Files

Records document inspection of individual gas stations for compliance with State and Federal Stage 2 requirements for gasoline vapor recovery systems. (Air pollution control regulation no. 11, Petroleum liquids marketing and storage) Inspections may cover gas pumps, underground storage tanks, hoses, seals, caps, and station records. Documents may include, but are not limited to, station diagrams, forms completed by inspectors on vapor recovery capacity, condition of equipment, and test results as well as written complaints, confidential documents, letters of non-compliance, and related correspondence.

Retention: Retain five (5) years after a facility closes.

DEM4.6 Certificates of Records Destruction [LEGACY – DUPLICATE]

Certification of Records Destruction forms signed by the authorized agency official and submitted to, and signed by, the State Archivist/Public Records Administrator. Certificates authorize the disposal of records listed in this and other applicable schedules. (R.I. Gen. Laws §§ 38-1-10, 38-3-6(j), and 42-8.1-10)

Retention: Permanent.

See Also: This record series is for information only, see GRS6.8B (Certificates of Records Destruction).

DEM5 Office of Compliance and Inspection (OC&I)

DEM5.1 Complaint Investigation Case Files – No Action

Files document handling of complaints received from other Department of Environmental Management (DEM) programs, other State agencies, and from members of the public relating to possible violations of environmental law. Files contain documentation of cases where DEM deems action unwarranted. (For files where action is warranted, see DEM5.2 (Complaint Investigation Enforcement Action Case Files – Founded)). Contents of complaint files depend on case. Unfounded/No Action files contain DEM complaint forms and inspection reports, including photos and videotape, with findings that complaint is unfounded. Founded/No Action files contain complaint forms, investigation reports and documentation supporting findings and reports in which a violation is identified, but action deemed unnecessary at the time due to minimal environmental impact. Documentation may be used in the future to take action against repeat offenders.

Retention: Retain five (5) years after case is closed.

DEM5.2 Complaint Investigation Enforcement Action Case Files – Founded

Files document handling of complaints received from other DEM programs, other State agencies, and from members of the public where DEM's investigation confirm violations of environmental laws or regulations and result in departmental action. Files contain documentation described in DEM5.1 (Complaint Investigation Case Files – No Action) and, depending on course of the case, can also include records documenting increasingly formal enforcement processes and measures. Records may include, but are not limited to, telephone discussion forms, informal correspondence, meeting notes, warning letters, letters of deficiency, cease and desist orders, documentary proof of remediation submitted by violators, remediation verification inspection reports, letters of non-compliance, immediate compliance orders, notices of intent to enforce, notices of violation, penalty payment documentation, consent agreements, notes, memos, court proceedings documentation, and case-related information from other programs.

See Also: For records relating to cases involving administrative adjudication or mediation, see DEM3 (Office of Administrative Adjudication).

DEM5.2A Resolved Informal Cases

Retention: Retain five (5) years after case closed.

DEM5.2B Resolved Formal Cases

Retention: Retain seven (7) years after case closed or until of no further legal value, whichever is later.

DEM5.3 Complaint Forms – Database

Yellow copy of the three (3) part complaint form. Form is used for data entry. The initial written record of a complaint from the public is placed with the complaint file (DEM5.1 (Complaint Investigation Case Files – No Action) and DEM 5.2 (Complaint Investigation Enforcement Action Case Files – Founded)). OC&I's complaint forms may consist of the following information: complainant (person calling in the complaint), the alleged location of complaint (owner/site address), contractor name (if applicable), nature of the complaint and directions to the alleged site.

DEM5.3A Yellow Data Entry Copy

Retention: Retain one (1) year.

DEM5.3B Digital Data

Retention: Retain ten (10) years.

DEM5.4 Inspection, Compliance, and Enforcement Tracking System (ICE)

ICE is an automated system designed to help DEM manage its regulatory enforcement business process and workflows. Its main functions are to monitor, track, and store histories of the handling of enforcement cases from the receipt of complaints through to resolution. System also tracks targeted compliance inspections and captures results from assignment to resolution. This system is comprised of a tracking application and a database. The system allows linking of multiple related complaints and targets to a single enforcement case and enables DEM to collect and store case-by-case process information in the automated case history. In addition to standard template information, screens allow personnel to enter notes and comments on each case. This includes storage of inspection results and accumulation and storage of compliance history data, including information about formal and informal enforcement actions. System can be queried to generate regular reports and custom reports and statistics on enforcement efforts and performance. System's user interface is a web-based browser linked to a dynamic database with query capability. System enables DEM units across the agency to share information about cases. Level of access and authority is role-dependent.

DEM5.4A ICE Case Tracking System Data

Retention: Retain until of no further administrative value.

DEM5.4B Official DEM Records of Individual Case Action [SUPERSEDED]

See Also: For associated retention, see DEM5.1 (Complaint Investigation Case Files – No Action) and DEM 5.2 (Complaint Investigation Enforcement Action Case Files – Founded).

DEM5.4C Application/System Documentation

Retention: Retain for life of application.

See Also: For system reports, see GRS1 (Executive, High-Level, and Policy-Making Records) and GRS5 (Daily Operations Records) for agency program reports.

DEM5.5 Dams Case Files

OC&I inspects public and private dams in the State to monitor safety conditions, and to advise dam owners of unsafe conditions. DEM makes scheduled inspections of dams, conditions, and reviews and approves plans for dam construction or significant alteration. Dams fall into one (1) of three (3) classes: high hazard (probability of significant loss of life), significant hazard (probability of significant property damage), and low hazard (no probable human or economic loss). Dams maintenance files include dam inspection reports, and may also include surveys, photos, plans, and correction recommendations correspondence or orders to take corrective action. Partial breach dams currently impounding water are operable and included in these files.

DEM5.5A High Hazard Dam Case Files

Retention: Permanent.

Note: Retain twenty-five (25) years following complete dam breach, when dams failed to impound any water, removal of dam and/or where dam no longer exists. Then transfer to Rhode Island State Archives.

DEM5.5B Significant Hazard Dam Case Files

Retention: Permanent.

Note: Retain twenty-five (25) years following complete dam breach, when dams failed to impound any water, removal of dam and/or where dam no longer exists. Then transfer to Rhode Island State Archives.

DEM5.5C Low Hazard Dam Case Files

Retention: Retain ten (10) years following complete dam breach, when dams failed to impound any water, removal of dam and/or where dam no longer exists.

Note: In accordance with GRS1.6 (Special Plans, Publications, Studies and Reports), at least one copy of all dam management related documentation in the form of reports and studies requires permanent retention.

DEM5.6 Dams Inventory Database

Database contains inventory of state's dams dating from the 1950s. Information includes dam name(s), owner, location, condition, classification, dimensions, I.D. number, and storage and discharge capacity.

Retention: Permanent.

DEM5.7 Hazardous Waste Generator Files

Files document activities related to monitoring hazardous waste generators by site location to ensure compliance with federal and State laws and Regulations. Files include Federal Environmental Protection Agency ID application documentation, inspection reports, site investigation reports, photos, contingency plans, training certificates, required company biennial reports and corresponding documents, completed Authorized Manifest Signers forms, and copies of waste generator documentation. Inspections that result in finding of non-compliance may also generate documentation related to informal enforcement actions. Investigations can also result in complaints and pursuit of formal compliance and enforcement measures (DEM 5.2 (Complaint Investigation Enforcement Action Case Files – Founded) and DEM 5.3 (Complaint Forms – Database)).

Retention: Retain seven (7) years after business/company closes or notifies DEM that it is no longer generating hazardous waste.

Note: For documentation related to spills or releases of hazardous waste and/or emergency incidents, see DEM6 (Office of Emergency Response).

DEM5.8 Hazardous Waste Generators Temporary EPA Identification Forms

OC&I maintains State specific data in its Hazardous Waste Temporary EPA Identification Number database. Includes documentation of temporary identification numbers provided to new hazardous waste generators or for one time cleanup of spills or releases of hazardous waste. The temporary number is used only until a permanent Federal Environmental Protection Agency (EPA) Identification Number is issued. Information also includes profile of business, type(s) of waste, volume for transport, and waste transportation details.

DEM5.8A Identification Number Paper Document

Retention: Retain until document is entered into OC&I's Temporary ID database.

DEM5.8B Electronic Data

Retention: Retain ten (10) years after business closes or ceases to exist.

DEM5.9 Certificates of Records Destruction [LEGACY – DUPLICATE]

Certification of Records Destruction forms signed by the authorized agency official and submitted to, and signed by the State Archivist/Public Records Administrator. Certificates authorize the disposal of records listed in this and other applicable records retention schedules. (R.I. Gen. Laws §§ 38-1-10, 38-3-6(j), and 42-8.1-10)

Retention: Permanent.

See Also: This record series is for information only, see GRS6.8B (Certificates of Records Destruction).

DEM6 Office of Water Resources (OWR)

For all record series containing electronic data/records that the Office of Water Resources (OWR) has designated as its official record, including audio, moving images, photographic, textual records, and emails: Retain all documentation of hardware and software for the life of the system. In the event hardware, software or system is updated, upgraded, or replaced, retain old data, documentation, and software for one (1) year after successful testing of system and verification of data to ensure continuing accuracy, integrity, retrievability, and usability/readability of records through all changes and to the end of their specified retention period. Files with a permanent retention requirement that are no longer needed for programmatic work may be eligible for transfer to the Rhode Island State Archives. The OWR is responsible for ensuring that Rhode Island's rivers, lakes, and coastal waters can support healthy communities of fish, plants, and other aquatic life, and also support human uses such as fishing, swimming, and drinking water. The Office is also responsible for preventing groundwater contamination and protecting and rehabilitating the State's wetlands to provide wildlife habitat, reduce floods, and improve water quality, and finally, to protect public health from the adverse impacts of water pollution. The Office establishes water quality standards for the State's waters, and monitors, assesses, and reports on water quality conditions, identifies impaired waters, and develops abatement and restoration studies. The OWR monitors compliance with Federal and State requirements, and participates in enforcement. Amended submittals (applicable to DEM6.1 (Total Maximum Daily Load (TDML) Program) through DEM6.18 (Federal EPA Funding Oversight Records)): unless other retention requirements are listed herein, draft versions of records submitted to the

OWR contained in DEM6.1 (Total Maximum Daily Load (TDML) Program) through DEM6.18 (Federal EPA Funding Oversight Records) must be retained until receipt of the final version of the record.

DEM6.1 Total Maximum Daily Load (TDML) Program

Under the federal Clean Water Act (Pub. L. No. 92-500), states are required to develop waterbody/watershed specific restoration studies to strategically assess water quality in order to characterize conditions and to identify pollution sources, and pollution abatement activities necessary to restore water quality. These studies are known as Total Maximum Daily Load (TMDL). A TMDL is a calculation of the maximum amount of a pollutant that a body of water can receive and still safely meet water quality standards set for it.

DEM6.1.1 Total Maximum Daily Load Development Records

Records in this series include scientific and/or technical documentation developed in support of the TMDL. These records include water quality monitoring data, computer modeling information, and other technical information including, but not limited to monitoring plans, quality assurance plans, data reports, including sampling reports, TMDL approach documentation, laboratory test results, chain of custody forms, field notes, and technical reports (e.g. Fish Kill, Runnins River Steering Committee, 2006 Pawcatuck Shoreline Survey Study.) The records are organized by individual body of water.

DEM6.1.1A Final TMDL Documents and Reports Related to Modeling and Monitoring, QAPPs (Quality Assurance Project Plans)

Retention: Retain three (3) years after record is superseded.

DEM6.1.1B Correspondence, Meeting Notes, Memos to the File

Retention: Retain ten (10) years from EPA approval of Final Report.

See Also: DEM6.1.2 (TMDL Reports).

DEM6.1.2 TMDL Reports

The records in this series include preliminary draft TMDLs submitted to EPA for review or submitted for public comment, public comments received, final TMDL reports, submittal letters to EPA, EPA Approval and notification letters and announcements sent to stakeholders and responsible parties. This series also includes all public workshop

records, i.e., not meetings of a public body subject to the Open Meetings Act.

DEM6.1.2A Final TMDL Report

Retention: Permanent.

DEM6.1.2B Draft Reports Sent to EPA for Public Comment, Public Notice Drafts, and All Other Records

Retention: Retain ten (10) years from EPA approval.

DEM6.1.3 TMDL Contracts and/or Grants

Records in this series include contracts, purchase orders, and invoices for any consultant services.

See Also: GRS8.10.3 (Purchase Orders, Contracts, Agreements Files).

DEM6.1.3A Records Retained Exclusively by DEM

Retention: Retain ten (10) years.

DEM6.1.3B Copies of Records Transmitted to Financial Authority

Retention: Retain seven (7) years.

DEM6.1.3C Small Purchases (Established Legal/Regulatory Maximum)

Retention: Retain three (3) years.

DEM6.2 Shellfish Water Program

The OWR is responsible for the survey and classification of the State's marine waters for molluscan shellfish harvesting.

DEM6.2.1 Affidavits of Shellfish Closure Records and Emergency Closure Records

Records in this series include signed affidavits of closures, legal description of closed areas, the time period of closure, and back-up documentation of the reason(s) for conditional closure, including narrative descriptions, data, and maps.

Retention: Retain five (5) years.

DEM6.2.2 Annual Shellfish Growing Area Classification Records

Records in this series include the identification of actual or potential pollution sources. The classification documentation includes hydrographic and meteorological information, water quality studies, sampling plans and justifications, data analysis and presentation, and tables containing basic National Shellfish Sanitation Program statistics (number of samples, median or geometric mean, and the respective variability facts). Also included are summaries and evaluations of available water quality and pollution source data collected by “non-shellfish program” entities. Finally, the records may also include statistical analysis of fecal coliform bacteria results of all classified shellfish waters of the State as well as historical shellfish classification maps showing areas closed to shellfish harvesting going back to 1946.

Retention: Permanent.

DEM6.2.3 Shellfish Monitoring Records, Lab Reports, and Field Sheets

Records in this series include lab reports received from Department of Health labs and field sheets from ambient monitoring runs.

Retention: Retain five (5) years.

DEM6.2.4 Program Establishment and Development Records

Records in this series include Memoranda of Understanding and agreements between DEM and other jurisdictions – other State agencies and the Federal government – outlining the program’s responsibilities. Also included are Standard Operating Procedures describing the OWR Shellfish Program’s program responsibilities, procedures, and protocol.

Retention: Permanent.

See Also: For associated retention, see GRS1.2 Program Establishment and Development Records).

DEM6.3 Rhode Island Pollutant Discharge Elimination System Program (RIPDES)

A principal component of the State’s water pollution control strategy is the development and enforcement of permit limitations for municipal and industrial wastewaters, storm water, and combined sewer overflows discharged directly to the waters of the State, as well as industrial wastewaters discharged to public, municipally owned treatment facilities. The RIPDES program is responsible for the development and enforcement of permit limitations.

DEM6.3.1 Rhode Island Pollutant Discharge Elimination System Program Permits (RIPDES)

This series documents the permitting process. The records in permit files may include, but are not limited to, permit applications and notices of intent (NOIs), inspections reports, photographs, draft permits sent to the applicant for review, development documents describing the assignment of permit limits, water quality calculations, correspondence, meeting attendance sheets, meeting summaries, public notice permit drafts, public notices, public hearing exhibits and transcripts, final permits and consent agreements, permit modifications, and engineering reports submitted by facilities, informal enforcement actions, and priority pollutant monitoring reports. The records may also include facilities' pre-treatment documentation, including annual reports, enforcement response plans, local limit monitoring plans, modification requests, pretreatment inspection/audit reports, pretreatment program documentation, technically based local limit development reports, enforcement response plans, engineering reports that form part of the permit file records, copies of EPA required Discharge Monitoring Reports (DEM6.3.3 (Discharge Monitoring Reports (DMRs)), User Fee Program results (contaminant testing), bioassay reports, photographs, water quality calculations, correspondence, meeting attendance sheets, meeting summaries, public notice permit drafts, public notices, public hearing exhibits and transcripts, consent agreements (which give facilities a compliance schedule and interim limits), and final permits.

Note: Public hearings relate to permits and are not meetings of a body subject to the Open Meetings Act (R.I. Gen. Laws Chapter 42-46). The distinction in the RIPDES Program between major and minor permits is based on a rating form wherein one of the most important factors is daily discharge flow. Facilities with daily flows greater than one million (1,000,000) gallons per day are typically classified as major permits.

DEM6.3.1A Major Individual Final Permits, Final Consent Agreements, Final Modifications, and Landmark Case Files

Retention: Permanent.

DEM6.3.1B All Other Records

Retention: Retain ten (10) years after permit termination or renewal.

DEM6.3.2 RIPDES Permit Enforcement Files

This series includes documentation related to the enforcement of pollution discharge permit compliance. It includes copies of OWR

referrals to RIDEM's Office of Compliance and Inspection (OC&I) for formal enforcement actions such as Notices of Violation with Penalty (NOVs), copies of NOVs from OC&I (see records retention schedule for Office of Compliance and Inspection (DEM5)), and copies of consent agreements from OC&I. The records also include data entered into the federal Environmental Protection Agency's Integrated Compliance Information System (ICIS – a secure system only available to EPA and State users), documentation of overrides, fixes, and documentation to support enforcement actions.

DEM6.3.2A Administrative Case Files, whether a Formal Enforcement Action Is Initiated or Not

Retention: Retain ten (10) years after closure of enforcement case.

Note: Data in ICIS is kept permanently by EPA.

DEM6.3.2B Judicial Case Files Where Routine Legal Actions are Required

Retention: Retain twenty (20) years after closure of enforcement case (per EPA schedule 207).

DEM6.3.2C Landmark or Precedent Cases

Retention: Permanent.

DEM6.3.3 Discharge Monitoring Reports (DMRs)

RIPDES (in accordance with EPA Regulations) requires permitted entities to self-report on their effluent data. The records in this series include permittees' DMRs. DMRs are entered into the EPA's Integrated Compliance Information System (ICIS). This series also includes documentation related to RIDEM's subscription to the EPA's Cross-Media Electronic Reporting Regulation (CROMERR). States need to complete a CROMERR application form in order to become eligible to participate in the EPA's recently implemented NetDMR. NetDMR is a Web-based tool that allows NPDES (National Pollution Discharge Elimination System) permittees to electronically sign and submit their DMRs directly into EPA's ICIS while also allowing OWR to access this data. Also included in this series are NetDMR subscriber agreements which must be completed by permittees in order to use the NetDMR tool.

DEM6.3.3A DMR Data

Retention: Retain ten (10) years, or until effluent data is stored in EPA electronic database and accuracy is verified, whichever is longer.

DEM6.3.3B NetDMR Subscriber Agreements

Retention: Retain five (5) years after the associated electronic signature device has been deactivated, per CROMERR requirements.

DEM6.3.3C Final CROMERR Application and Approval Documents

Retention: Retain until superseded.

DEM6.3.3D Draft CROMERR Application and Correspondence Related to Draft Application

Retention: Retain until receipt of final application and approval.

DEM6.3.4 DEM State Delegation Authority and Primacy Application Records

To obtain State primacy status, DEM must demonstrate that it meets certain EPA requirements. This series contains documentation for and approval of delegation/primacy status for the RIPDES Program (40 C.F.R. Part 123 (Clean Water Act)), see DEM6.3.1 (Rhode Island Pollutant Discharge Elimination System Program Permits (RIPDES)) – DEM 6.3.3 (Discharge Monitoring Reports (DMRs)), Underground Injection Control (UIC) Program (40 C.F.R. Part 145 (Safe Drinking Water Act)), (see DEM6.8.4 (Underground Injection Control (UIC) Records)), and Water Quality Certification Program (40 C.F.R. Part 131 (Clean Water Act)), (see DEM6.12 (Water Quality Certification (WQC) Program)).

DEM6.3.4A Final Application and Materials that Clarify Interpretation of the Application and EPA Approval

Retention: Permanent.

DEM6.3.4B Pending Application and Other Supporting Materials

Retention: Retain until EPA final decision in effect.

DEM6.4 Wastewater Treatment Facility Operations and Maintenance Program

The DEM Operations and Maintenance Section (O&M) inspects and monitors wastewater facilities and their laboratories to ensure compliance with permit requirements and approved O&M manuals. The O&M Program also oversees operations involving the production, treatment, and disposal of sewage sludge, and the licensure of wastewater treatment operators.

DEM6.4.1 Wastewater Treatment Facility Files

The records in this series include facility engineering plans, correspondence with wastewater utilities, internal memos, reports, inspection findings, and similar documents.

DEM6.4.1A Approved Engineering Plans (Drawings)

Retention: Retain until superseded.

DEM6.4.1B All Other Records

Retention: Retain ten (10) years.

DEM6.4.2 Facility Operations and Maintenance Manuals (Plans)

The records in this series include drafts and approved wastewater treatment facility manuals prepared by individual facilities (or their representatives) and submitted to the O&M Section for approval.

DEM6.4.2A Final O&M Manual

Retention: Retain three (3) years after superseded.

DEM6.4.2B Draft O&M Manual

Retention: Retain until approval of final O&M manual.

DEM6.4.3 Sewage Sanitary Overflow (SSO) Records

An SSO is an intentional or unintentional discharge of wastewater from any point within a facility's collection system. The records in this series include documentation and information related to any Sanitary Sewer Overflow (SSO). SSO records may contain information and documentation from complainants, the facility, and documents produced by the O&M Section as part of its investigation of the SSO. The O&M Section also maintains an electronic database of all reported SSOs.

Retention: Retain five (5) years.

DEM6.4.4 Monthly Operating Reports (MORs)

The records in this series include reports submitted monthly by facilities that document operating and testing data and other information.

Retention: Retain five (5) years.

DEM6.4.5 Sludge Program Files

This series includes documentation and information on sludge management for every individual wastewater treatment facility located in Rhode Island, as well as any person, facility or site, in-State and out-of-State, that treats, transports, distributes, stockpiles or Department of Environmental Management Office of Water Resources Records Retention Schedule Approved April 2019 disposes of sewage sludge in Rhode Island. This series includes Rules and Regulations for Sludge Management. The records in each Order of Approval facility file include, but are not limited to, correspondence, inspection reports, complaints, Orders of Approvals and Applications for Orders of Approvals (application forms, correspondence, investigation plans, management plans, O&M manuals, site plans, radius plans, cross section plans, closure plans, sludge quality data, soil descriptions, groundwater surveys and samples, variance requests, public notice and hearing documents, denials and administrative hearing files), reports (analytical data, incineration reports, and distribution reports), sludge volumes, enforcement actions (Notices of Deficiency and/or Notices of Violation). Orders of Approval remain valid until they are suspended or revoked. Files also include documents related to the development of Sewage Sludge Management Regulations (present and past).

DEM6.4.5A Orders of Approval and Order of Approval Application Files

Retention: Retain five (5) years after the Order of Approval becomes invalid.

DEM6.4.5B Rules and Regulations Files

Retention: Permanent.

See Also: For associated retention, see GRS2.5 Rulemaking Files.)

DEM6.4.5C Enforcement Actions

Retention: Retain seven (7) years after close of enforcement case.

DEM6.4.5D Sludge Volumes and All Other Records

Retention: Retain five (5) years.

DEM6.4.6 Operator Certification Program Records

Individuals engaged in the operation of municipal wastewater treatment facilities in Rhode Island must be certified by the Board of Certification of Operators of Wastewater Treatment Facilities. The OWR's Operations and Maintenance Section provides administrative support and record keeping for the Board. The records in this series include administrative, licensee, and exam files. The administrative files include records of the Board, including all minutes and correspondence. May also include training course approval files, which may include applications for training course approvals, records of training attendance, and other records related to training needs. Licensee files contain information related to the licensure history of individual operators. Included in the latter are original applications for licensure and copies of correspondence to and from the Board, with the latter including copies of notices for renewal, notices of exam results, copies of issued certificates/licenses, and all other correspondence, notes, or memos related to the individual's license history. Operators' certifications must be renewed annually. Finally, exam files contain examination booklets, answer sheets, and any copies that may later be made for use in post-exam examinee reviews. (R.I. Gen. Laws Chapter 42-17.4)

DEM6.4.6A Operator Certification Administrative Files

Retention: Retain five (5) years.

DEM6.4.6B Licensee Files

Retention: Retain ten (10) years after expiration.

DEM6.4.6C Exam Files

Retention: Retain one (1) year after exam date.

DEM6.4.6D Meeting Minutes

Retention: Permanent.

See Also: For associated retention, see GRS1.7 (Meeting Minutes).

DEM6.4.7 Operator Training Records

The records in this series include information related to courses offered by the Office as well as records of third-party courses taken by wastewater licensees.

Retention: Retain three (3) years.

DEM6.4.8 Discharge Monitoring Reports – Quality Assurance (DMRQA) Study Files

Under the EPA National Pollutant Discharge Elimination System (NPDES) program, permittees are required to participate in the annual Discharge Monitoring Report–Quality Assurance (DMR-QA) study program. The DMR-QA study is a test of individual wastewater treatment facility laboratories’ ability to perform analytical testing on various parameters and pollutants. The records in this series include files related to the administration of the annual DMRQA study. The files include study documents from EPA, testing reports for each facility, and correspondence.

Retention: Retain five (5) years.

DEM6.5 Wastewater Facility Planning and Design Program

This program regulates the construction and modification of wastewater treatment facilities and wastewater collection systems.

DEM6.5.1 Order of Approval Files

The records in this series include engineering plans (drawings) and specifications, supporting scientific and engineering analyses, calculations and computations, descriptions, application forms, application fee forms and applicable review fees. The records in this series also include documents generated by RIDEM and received by RIDEM during the review. Documentation is deemed to be final after it is found to be, and approved as acceptable as the basis for the engineering design and construction plans.

Note: See note under DEM6 (Office of Water Resources (OWR)).

DEM6.5.1A Approved Engineering Plans (Drawings), Approved Specifications, Approved Design Calculations, Approved Supporting Documentation (Data and Scientific Analyses and Design Calculations) and Orders of Approval

Retention: Retain five (5) years after superseded.

DEM6.5.1B Other Final Documents

Retention: Retain five (5) years.

DEM6.5.2 Wastewater Facilities Plans, Findings of No Significant Impact, and Engineering Reports

This series relates to the approval of municipalities', wastewater commissions' and sewer authorities' wastewater facilities plans, engineering reports, and Findings of No Significant Impact (FONSI). FONSI refers to environmental assessments that a project will not have a significant impact on the human environment. Wastewater facilities plans are (currently) twenty (20) year planning documents.

Note: See note under DEM6 (Office of Water Resources (OWR)).

DEM6.5.2A Approved Wastewater Facilities Plans, FONSI

Retention: Retain twenty (20) years, or five (5) years after superseded, whichever occurs first.

DEM6.5.2B Other Final Documents

Retention: Retain five (5) years.

DEM6.6 Surface Water Quality Program

This program maintains records associated with the Water Quality Regulations, water quality standards and criteria, and ambient surface water monitoring. Water Quality Standards define the goals for a water body by designating its uses, setting criteria to protect those uses, and establishing provisions to protect water quality from pollution. In addition, RIDEM conducts ambient water quality monitoring and has developed a Water Monitoring Strategy.

DEM6.6.1 Water Quality Standards Records

The records in this series include DEM memos, notes, and State criteria development documentation, correspondence with the Department of Health's laboratory and other agencies regarding detection limits and quantitation levels for various parameters, and maps depicting water quality standards and criteria. This series also includes copies of Federal EPA Criteria, Standards, Regulations, Policies and Guidance.

DEM6.6.1A State Water Quality Standards Development Records

Retention: Retain twenty (20) years.

DEM6.6.1B EPA Water Quality Standards and Criteria Guidance Documents, EPA Policies, and EPA Regulations

Retention: Retain ten (10) years or until no longer needed for administrative purposes, whichever occurs later.

DEM6.6.2 Surface Water Quality Monitoring Records

The records in this series include the OWR's Water Monitoring Strategy as well as a wide range of materials that document the implementation of the strategy. These records include, but are not limited to, measurement and sampling records from various lakes/ponds, and rivers/streams, station location maps and other records documenting the locations from which monitoring and sampling data was collected, historical monitoring reports, data funding agreements and contracts for services, quality assurance plans, cooperative agreements for services pertaining to monitoring programs. Also included may be monitoring project self-assessment forms. The series also includes Final Reports – Basin Reports, Technical Reports, and Final Annual Sampling location lists. In addition, the records include correspondence with the Department of Health's State Health laboratories regarding analysis of water monitoring data. In addition, the OWR also stores water quality data in a number of electronic databases. The OWR also stores electronic and paper records provided by contractors or other outside parties, including the EPA (e.g. cyanobacteria data), fish tissue sampling station information and data results, and electronic data files for the fixed-site network stations including metadata.

DEM6.6.2A Working Documents

Retention: Retain five (5) years, or until no longer required for administrative purposes, whichever is later.

DEM6.6.2B Water Quality Data, Final Reports, and Metadata

Retention: Permanent.

DEM6.6.2C Water Monitoring Strategy

Retention: Permanent.

DEM6.6.2D All Other Records

Retention: Retain fifty (50) years.

DEM6.6.3 Surface Water Quality Assessment Program Records

Pub. L. No. 92-500 § 305(b) of the Federal Clean Water Act (CWA) requires states to assess the health of their surface waters, and to

submit biennial reports describing water quality conditions. Water quality conditions are determined by evaluating water data relative to established water quality standards and criteria, as described in the Water Quality Regulations. The methodology utilized to assess water quality conditions must be documented in the State's Consolidated Assessment and Listing Methodology document (CALM), which is updated each assessment cycle as needed. Based on the assessment and listing methodology, each water body is placed into assessment categories/lists, called the Integrated Lists, which includes the Pub. L. No. 92-500 § 303(d) (List of Impaired Waters) (DEM6.6.4 (Clean Water Act Section 303(d) Impaired Waters List)). The records in this series include Federal guidance documents for conducting water quality assessments and generating the Consolidated Assessment and Listing Methodology (CALM) and Integrated Water Quality Monitoring and Assessment Reports (Integrated Report and Integrated Lists). The records also include final OWR Integrated Reports and CALM documentation as well as historical water quality assessment reports (Pub. L. No. 92-500 § 305b), State of the State's Waters Reports), and hardcopy assessment files for each water body tracked in the assessment process. OWR maintains and utilizes a copy of the Federal EPA's Assessment Database (ADB) to house the State's biennial water quality assessment information. The ADB is a relational database application for tracking and reporting water quality assessment data, including use attainment, and causes and sources of impairment. ADB Net is an EPA developed online database that tracks State water quality assessments. These assessments are prepared under guidance provided by the US EPA under Pub. L. No. 92-500 § 305b of the Clean Water Act.

DEM6.6.3A Water Quality Assessment Reports/Integrated Report and Lists/CALM Records

Retention: Permanent.

DEM6.6.3B Assessment Database Data

Retention: Permanent.

DEM6.6.3C All Other Records

Retention: Retain twenty (20) years.

DEM6.6.4 Clean Water Act Section 303(d) Impaired Waters List

Pub. L. No. 92-500 § 303(d) of the CWA requires states to develop a list of waters that do not meet water quality standards. The records in this series include draft 303(d) Lists and documentation and development notes, correspondence with EPA on drafts and the Final List, workshop

notifications, presentations, and comments received from EPA and the public, final 303(d) Lists, final De-Listing justification documentation, Final Response to Comments, and mailing lists for draft and final documents.

DEM6.6.4A Workshop Notification, Presentations, and Mailing Lists

Retention: Retain ten (10) years.

DEM6.6.4B Draft 303(d) List, Final List, Delisting Documents, EPA Comments, and Responses

Retention: Permanent.

DEM6.7 Financial Assistance Programs

The OWR is responsible for the administration of several financing programs related to water quality.

DEM6.7.1 Water Quality Financial Assistance Programs – Grant Record

The records in this series include OWR State and Federal Grant files, and other documentation related to grant administration and award.

Note: If any litigation, claim, negotiation, audit or other action has been started before the expiration of the ten (10) year period, the records must be retained until completion of the action and resolution of all issues which arise from it, or until the end of the ten (10) year period, whichever is later. Any records related to a contract or liability under seal, or any judgment or decree by a Federal or State court, should be retained for twenty (20) years (R.I. Gen. Laws § 9-1-17). § 6.7.2 State Revolving Fund Records, § 6.9.1 Nonpoint Pollution Source (NPS) Program Management Records, and § 6.17.1 Lake, Pond and Reservoir Monitoring Records also contain references to grants, however, those sections have been maintained elsewhere in the schedule, rather than DEM6.7.1 (Water Quality Financial Assistance Programs – Grant Records), either because the records relate to programmatic functions rather than to administrative functions, or because those sections also contain references to documents which are not grant related.

DEM6.7.1A Grant Applications and Amendments, Final Performance, Disposition and Expenditure Reports

Retention: Permanent.

See Also: GRS1.18A (Grant Applications and Amendments, Final Performance, Disposition, And Expenditure Reports).

DEM6.7.1B Financial and Programmatic Records, Periodic Performance Reports, Supporting Documents, Statistical Records, Other Required and Pertinent Records

Retention: Retain ten (10) years from submission of closeout and final expenditure report or submission of annual financial status report for grants renewed annually.

See Also: GRS1.18B (Financial and Programmatic Records, Periodic Performance Reports, Supporting Documents, Statistical Records, Other Required and Pertinent Records).

DEM6.7.1C Real property and Equipment Records

Retention: Retain ten (10) years from the date of disposition, replacement, or transfer of property/equipment.

See Also: GRS1.18C (Real Property and Equipment Records).

DEM6.7.1D Income Transaction Records (Earning of Income) after Grant Support Where Required by the Terms of the Grant

Retention: Retain ten (10) years from the end of fiscal year in which the income is earned.

See Also: GRS1.18D (Income Transaction Records (Earning of Income) After Grant Support Where Required by the Terms of the Grant).

DEM6.7.1E Unsuccessful Grant Applications

Retention: Retain three (3) years.

See Also: GRS1.18E (Unsuccessful Grant Applications).

DEM6.7.2 Clean Water State Revolving Fund Records (CWSRF)

The CWSRF State loan program provides low cost loan assistance to finance eligible local government projects related to waste water management and the protection of the State's water resources. A project cannot receive funding from the CWSRF program unless it is on the OWR's approved Project Priority List and is issued a Certificate of Approval by OWR. The Rhode Island Infrastructure Bank (formerly the Clean Water Finance Agency) administers the loaning of funds for approved projects. The records in this series include annual Project Priority Lists and priority list hearing records. The series also includes individual project application files. Records may include, but are not limited to, letters of intent, individual project Certificate of Approval application files, an estimate of all costs relating to the project, project description and schedule as well as loan reimbursement records, individual project construction inspection reports, environmental review plans, and cost reimbursement files. This series includes documentation of EPA Capitalization Grant requirements, including annual program review files. Finally, this series also includes records related to the Clean Watersheds Needs Survey (CWNS), which is a Federally-required quadrennial survey of water pollution abatement needs within the State. The CWNS is a planning tool used to determine each State's allotment of the annual CWSRF appropriation from Congress.

DEM6.7.2A Priority Determination Criteria List

Retention: Permanent.

DEM6.7.2B Project Priority List Hearings and Comment Records

Retention: Permanent.

DEM6.7.2C DEM Project Priority Lists

Retention: Permanent.

DEM6.7.2D Individual Project Priority Application Files

Retention: Retain three (3) years.

DEM6.7.2E DEM Interdepartmental Memoranda of Understanding

Retention: Permanent.

DEM6.7.2F EPA Requirements Documentation

Retention: Retain twenty (20) years.

DEM6.7.2G Clean Watersheds Needs Survey Records

Retention: Retain ten (10) years.

DEM6.7.2H Loan Reimbursement Records, Cost Reimbursement Records, and Any Other Financial Records Not Covered by DEM6.7.2A (Priority Determination Criteria List) through DEM6.7.2G (Clean Watersheds Needs Survey Records)

Retention: Retain through the end of the amortization period, or ten (10) years, whichever is longer.

DEM6.8 Groundwater Protection Program

The Groundwater Protection Act (R.I. Gen. Laws Chapter 46-13.1) designates the Department of Environmental Management as the State agency that is responsible for the protection of the State's groundwater from contamination and degradation, and for establishing a program that ensures that polluted groundwater meets established criteria. The OWR administers two (2) programs to regulate discharges to groundwater: the Groundwater Discharge Program, which includes activities formerly managed under the Underground Injection Control (UIC) Program and the Groundwater Certification Program, which regulates the discharge to, or above the ground surface of commercial and industrial wastewater and other fluids that have the potential to contaminate the State's groundwater resources. The OWR also administers the DEM Groundwater Quality Rules, which establish classification, prohibitions and general requirements for groundwater protection, including wellhead protection area delineation. The DEM Office of Waste Management also administers several programs to regulate existing and potential sources of groundwater contamination (e.g., underground storage tanks, solid waste facilities, and sites undergoing groundwater remediation).

See Also: DEM11 (Office of Waste Management).

DEM6.8.1 Groundwater Classification and Standards Records

The records in this series include materials associated with rule development and periodic updates, including all required Administrative Procedures Act requirements, maps of delineations of groundwater classification and wellhead protection areas along with files and reports supporting the delineations. It also includes a second set of files related to Re-Classification Request Files.

DEM6.8.1A Groundwater Quality Rule Records (Including All Related Maps)

Retention: Permanent.

See Also: GRS2.5 (Rulemaking Files).

DEM6.8.1B Groundwater Re-Classification Request File Records

Retention: Permanent.

DEM6.8.2 Groundwater Discharge Application Records and Reports

The records in this series relate to the implementation of the groundwater discharge Rules. The records include applications for registrations and approvals, applications for modifications of registrations or approvals, and individual registrations and approvals issued for groundwater or stormwater discharges. The records also include notifications submitted for construction and installation of groundwater discharge systems, commencement of operation of a discharge, temporary cessation of a discharge, transfer of ownership, and termination of registered discharges. Information submitted to OWR by the facilities to support applications include Material Safety Data Sheets, facility and discharge system engineering plans, analytical data from effluent or groundwater quality monitoring, either in the form of a one-time event or continually as required for the life of the approval, and photographs and reports required upon final closure of a groundwater discharge system. This series also includes OWR staff reports of inspections performed for final system closure, or to ensure compliance at regulated facilities and at facilities with unauthorized groundwater discharges. Additional records include Letters of Deficiency issued to a facility and copies of Notices of Intent to Enforce, Notices of Violation, Consent Agreements, Penalty Assessments and related correspondence issued to groundwater discharge program facilities from the RIDEM Office of Compliance & Inspection.

Retention: Permanent.

DEM6.8.3 Non-Groundwater Discharge Permit Application Files

The records in this series include the OWR groundwater program's review files for projects not requiring a groundwater discharge permit but which must nevertheless demonstrate compliance with the Groundwater Quality Rules (e.g., large onsite wastewater treatment systems, upland dredge disposal projects). The records include applications, site plans, site information, correspondence, and any other required supporting documentation, as well as final DEM determination documentation.

Retention: Permanent.

DEM6.8.4 Underground Injection Control (UIC) Records

The records in this series include permit applications received, permit approvals issued, closures performed, site inspections performed, monitoring compliance evaluations, facility evaluations, and federal reporting forms.

DEM6.8.4A Permit Records, including Landmark Permit Records: Permit Applications, Permit Approvals, Closure Records, Site Inspection Records, Facility Evaluations

Retention: Permanent.

DEM6.8.4B Monitoring Compliance Evaluations, Federal Reporting Forms, and All Other Records

Retention: Retain ten (10) years.

DEM6.8.5 Municipal Program Assistance Records

The records in this series include files documenting DEM assistance in local municipal groundwater protection efforts. The records include meeting notes and correspondence as well as reviews of local ordinances and local comprehensive plans.

Retention: Retain ten (10) years.

DEM6.8.6 Water Supply System Management Plan Review Records

Under State law, all large drinking water suppliers and distributors must submit Water Supply System Management Plans to the Rhode Island Water Resources Board every five (5) years. OWR reviews and provides the Board with comments on the plans, as required by statute. The records in this series include Water Supply System Management Plans and all supporting documentation, as well as DEM review files and correspondence.

DEM6.8.6A RIDEM Review Notes and Files

Retention: Retain ten (10) years.

DEM6.8.6B Water Supply Management Plans (WSMPs)

Retention: Retain latest revision, or ten (10) years, whichever occurs first.

Note: The Rhode Island Water Resources Board retains a permanent record of this material.

See Also: WRB3 (Public Water Systems Records).

DEM6.8.7 Bottled Water Program Records

The records in this series include communications with property owners, the Department of Health, and bottled water suppliers. The records also include interdepartmental correspondence related to contamination events, and analytical test results of private wells, as well as monthly billing statements of supplied water.

DEM6.8.7A Nonsubstantive Executive Correspondence and Memoranda Requiring No Response

Retention: Retain three (3) years.

See Also: GRS1.1B (All Other Records (Substantive Correspondence and Memoranda)).

DEM6.8.7B All Other Executive Correspondence and Memoranda

Retention: Permanent.

See Also: GRS1.1A (Non-Substantive Correspondence, Memoranda, and Correspondence Requiring No Response).

DEM6.8.7C General Correspondence and Memoranda

Retention: Retain three (3) years.

See Also: GRS5.1 (General Correspondence and Memoranda).

DEM6.8.7D Financial Records Related to Contracts that Are Retained Exclusively by Agency

Retention: Retain ten (10) years.

See Also: GRS8.10.3A (Records Retained Exclusively by Agency).

DEM6.8.7E Copies of Financial Records Related to Contracts that Are Transmitted to Financial Authority

Retention: Retain seven (7) years.

See Also: GRS8.10.3B (Copies of Records Transmitted to Financial Authority).

DEM6.8.7F Financial Records (Related to Contracts) That Involve Small Purchases (Established Legal/Regulatory Maximum)

Retention: Retain three (3) years.

See Also: GRS8.10.3C (Small Purchases (Established Legal/Regulatory Maximum)).

DEM6.8.8 Wellhead Protection Program Files

Groundwater provides an important source of drinking water. A wellhead protection area (WHPA) is the portion of an aquifer through which groundwater will move toward and reach a well. DEM is responsible for delineating a WHPA for each public well in the state. The records in this series include records that relate to OWR's development of wellhead protection area delineation maps for those wells designated by the Department of Health as sources, or potential sources, of public drinking water.

Retention: Permanent.

DEM6.8.9 Groundwater Protection Project Records

The records in this series include files related to projects initiated by DEM to study groundwater resources, or to determine sources of contamination. Records include site plans, groundwater analytical data, reports, meeting notes, and correspondence concerning the projects. The files also include contractual agreements and financial records to implement studies/projects.

DEM6.8.9A Programmatic Files

Retention: Permanent.

DEM6.8.9B Contractual Agreements and Financial Records that Are Retained Exclusively by Agency

Retention: Retain ten (10) years.

See Also: GRS8.10.3A (Records Retained Exclusively by Agency).

DEM6.8.9C Copies of Contractual Agreements and Financial Records that Are Transmitted to Financial Authority

Retention: Retain seven (7) years.

See Also: GRS8.10.3B (Copies of Records Transmitted to Financial Authority).

DEM6.8.9D Contractual Agreements and Financial Records that Involve Small Purchases (Established Legal/Regulatory Maximum)

Retention: Retain three (3) years.

See Also: GRS8.10.3C (Small Purchases (Established Legal/Regulatory Maximum)).

DEM6.8.10 305(b) Report on the State's Groundwater

The records in this series include the data and other supporting information to generate the Groundwater Section of Water Quality Assessment Reports written from 1988 to 2006.

DEM6.8.10A DEM Assessment Summaries

Retention: Permanent.

DEM6.8.10B DEM Generated Source Data

Retention: Permanent.

DEM6.8.10C All Other Data

Retention: Retain ten (10) years if confirmation is provided that source data is retained elsewhere (e.g. Rhode Island Department of Health, United States Geological Survey), otherwise Permanent.

DEM6.8.11 Well Drilling Program Records

The records in these record subseries include well driller licensing application files, variance request records, and variance request supporting material up to 2014.

Note: DEM is no longer administering any aspect of the well drilling program. The functions of the Well Drilling program were transferred from the OWR to the Rhode

Island Contractors Registration Board in 2013 and to the Department of Health. Well completion reports are now collected by the Department of Health. Well completion reports that had been submitted to DEM over the years have been transferred to the Department of Health.

DEM6.8.11A Well Driller Licensing Files

Retention: Retain five (5) years.

DEM6.8.11B Variance Request Records – Record of Approval

Retention: Permanent.

DEM6.8.11C Variance Request Records – Supporting Material

Retention: Retain ten (10) years.

DEM6.9 Nonpoint Pollution Source (NPS) Management Program

NPS sources of pollution are those that cannot be tracked to a single pipe or discharge point, such as overland storm water runoff and failing septic systems. The RIDEM NPS Management program encourages various actions by State and local governments, businesses, watershed groups and individual landowners to address NPS of pollution.

DEM6.9.1 NPS Program Management Records

The records in this series include program administration files, NPS Management Plan documentation, Program Quality Assurance Plans, correspondence and reports to EPA, financial expenditure records, records of grants issued (see below) and materials from water quality protection and restoration activities funded by EPA to ensure DEM satisfies EPA program guidance.

Note: If any litigation, claim, negotiation, audit or other action has been started before the expiration of the ten (10) year period, the records must be retained until completion of the action and resolution of all issues which arise from it, or until the end of the ten (10) year period, whichever is later. Any records related to a contract or liability under seal, or any judgment or decree by a Federal or State court, should be retained for twenty (20) years. (R.I. Gen. Laws § 9-1-17)

DEM6.9.1A Grant-Produced Management Plans, Studies, and Reports

Retention: Permanent.

See Also: For associated retention, see GRS1.6 (Special Plans, Publications and Reports).

DEM6.9.1B Grant Applications and Amendments, Final Performance, Disposition and Expenditure Reports

Retention: Permanent.

DEM6.9.1C Financial and Programmatic Records, Periodic Performance Reports, Supporting Documents, Statistical Records, Other Required and Pertinent Records

Retention: Retain ten (10) years from submission of closeout and final expenditure report or submission of annual financial status report for grants renewed annually.

DEM6.9.1D Real Property and Equipment Records

Retention: Retain ten (10) years from the date of disposition, replacement, or transfer of property/equipment.

DEM6.9.1E Income Transaction Records (Earning of Income) After Grant Support Where Required by the Terms of the Grant

Retention: Retain ten (10) years from the end of fiscal year in which the income is earned.

DEM6.9.1F Unsuccessful Grant Applications

Retention: Retain three (3) years.

See Also: GRS1.18 (Grant Program Files).

DEM6.9.2 Watershed Management Plan Records

A watershed is a land area whose waters drain to the same body of water, such as a stream, lake or river. A watershed-based approach, therefore, can cover multiple jurisdictions within the State, smaller watersheds, and in some cases, cross state lines. The records in this series include final watershed management plans as well as documentation related to their development. The records encompass, but are not limited to, data analyses to determine existing water quality

and conditions, and records related to identification, description, and documentation of any current and past watershed protection and restoration measures. Included are supporting materials on physical features, land use, and land cover, pollution sources, and water monitoring data in the watershed as well as related meeting notes and correspondence.

DEM6.9.2A Final Watershed Plans

Retention: Permanent.

DEM6.9.2B Supporting Material Necessary for Future Watershed Plan Development

Retention: Retain twenty (20) years.

DEM6.9.2C All Other Supporting Materials

Retention: Retain until plan is updated.

DEM6.10 Onsite Wastewater Treatment System (OWTS) Program

Onsite Wastewater Treatment Systems include systems of piping, tanks, dispersal areas, alternative toilets or other facilities designed to convey, store, treat or disperse wastewater by means other than discharge into a public wastewater system. The OWTS program (formerly known as the individual sewage disposal system section (ISDS) regulates the location, design, construction, and maintenance of onsite wastewater treatment systems. The program also licenses OWTS designers and reviews proposals to use new or alternative OWTS technologies.

DEM6.10.1 007 RI Cesspool Act Implementation Records

A cesspool is any buried chamber (for example, a metal tank, a perforated concrete vault, or a covered hollow or excavation) that receives sewage from a building for disposal into the ground. The Rhode Island Cesspool Act of 2007 (R.I. Gen. Laws Chapter 23-19.15) mandates that all cesspools located within a certain distance (currently two hundred feet (200')) of the inland edge of the coastal shoreline or within a certain distance (currently two hundred feet (200')) of a drinking water reservoir or public well must be abandoned and the home upgraded with a new onsite wastewater treatment system or connected to available municipal sewer lines. Records in this series include documents related to the 2007 Rhode Island Cesspool Act and include copies of correspondence to property owners, Property Owner Response Forms, inspection reports, property surveys, hardship application packages (where applicable) and documentation of coordination with the DEM Office of Compliance and Inspection.

Retention: Permanent.

DEM6.10.2 Subdivision Site Suitability Certification Files

Subdivision Site Suitability is a preliminary stage in the construction of on-site wastewater systems dedicated to individual residential or commercial subdivisions. The records in this series contain documentation related to the application process and records of the approval process. Included is applicant documentation describing the location of water sources, soil and other testing reports, wet and dry season monitoring data, municipal tax information, property ownership and easement records, and related wetland permits. The records also include proposed design documents and plans, location maps, locations of test holes, size and location of existing and proposed subdivision buildings, and the location of various structures and water resources within a specified distance of the proposed facility. Finally, the files contain DEM review and deficiency letters, comments and engineer's responses to comments, as well as letters of non-acceptability, Department of Health approval, and town water authority approvals, as well as DEM final approved plans, final approval letters and requests for clarification and modification. Subdivision certificates remain valid for a period of five (5) years.

Retention: Retain fifty (50) years.

DEM6.10.3 System Suitability Determination (SSD)/System Design Review Permit Files

An SSD is a preliminary determination of whether or not an already existing septic system is adequate for a proposed commercial or residential building construction, renovation or change of use. The records in this series contain SSD applications. The files may contain, but are not limited to, Residential or Commercial System Suitability Determination Applications, copies of tax cards, copies of previously approved OWTS construction permits (or ISDS Applications), copies of approved OWTS/ISDS plans, engineering analyses, existing and proposed floor plans, proposed modification statements, inspection reports, Administrative Review Sheets, and SSD Review Sheets.

Retention: Retain ten (10) years.

DEM6.10.4 OWTS Construction Permit Files

The records in this series include OWTS/ISDS construction permit files. There are several types of OWTS/ISDS construction permits, including Applications for New Building Construction, Alteration to a Structure, Repair, Variance Request, and Redesign or Transfer of the aforementioned. The documentation may include, but is not limited to

records and forms related to the ground water table, soil testing applications, locus maps, site evaluation forms and inspection reports, submission checklists, OWTS Construction Permits (or ISDS Application), as-built and proposed plans, descriptions of the component technologies, and calculations, Affidavits of Continuing Validity of Field Data, copies of municipal tax cards, recorded easements, deeds, and deed restrictions, copies of related Fresh Water Wetlands Permits, Well Drilling Program Affidavits, groundwater well variance approval letters, and OWTS review and comment documentation. The files may also contain variance records and correspondence, meeting notes, copies of consent agreements, Notice of Intent (NOI) and Notice of Violation (NOV), additional terms of approval letter, copies of Water Quality and Groundwater Certificates, inspection reports, affidavits to replace designer of record and for substitution of advanced technology for existing technology, photographs, operation and maintenance agreements, designers' statements of supervision and certificates of construction, and Certificates of Conformance. Finally, the permit files may also include Orders of Approval, which specify additional terms to which the property owner and the DEM agree.

DEM6.10.4A Plans That Are Not Approved

Retention: Retain until conformance.

DEM6.10.4B Final Plans and All Other Records

Retention: Permanent.

DEM6.10.5 Post-Conformance Operation and Maintenance (O&M) Files

Records in this series may include copies of the following documents: Approved OWTS Construction Permits (or ISDS Application), Additional Terms of Approval Letters, Water Quality Certificates, Ground Water Certificates, Operation and Maintenance Contracts, O&M Inspection Reports, Correspondence (Comments from Service Providers, Letter of Non-Compliance), Wastewater Sample Results, and Groundwater Sample Results.

Retention: Permanent.

DEM6.10.6 OWR OWTS/ISDS Designer Licensing Application Files

This series relates to records submitted to apply for and maintain a designer license. The records include exam application forms and other documentation required as part of the application process; graded exams as well as correspondence related to exam eligibility and results. The records also include documentation related to the post-exam history of the applicant, including applicant announcements of withdrawals;

license renewal applications documentation, including evidence of required continuing education courses; communications notifying applicant of application deficiencies and correspondence; notices of license expiration; and records documenting founded complaints concerning licensee design performance.

DEM6.10.6A Failed License Application Files

Retention: Retain three (3) years.

DEM6.10.6B Successful License Application Files – Renewed and Non-Renewed

Retention: Retain ten (10) years, or three years (3) after renewal, whichever occurs sooner.

DEM6.10.6C Complaints

Retention: Retain ten (10) years.

Note: Complaints against licensed OWTS designers are handled and documented by the Office of Compliance and Inspection.

See Also: DEM5.1 (Complaint Investigation Case Files) and DEM5.2 (Complaint Investigation Enforcement Action Case Files).

DEM6.10.7 OWTS Designer Licensing Review Panel Records

The records in this series include files related to the administration of the OWTS Designer Licensing Review Panel. Included are pertinent regulations, panel member information, meeting notice posting and confirmations with SOS office, and Open and Executive Session meeting notes.

DEM6.10.7A Administrative Files

Retention: Permanent.

DEM6.10.7B Files That Relate to Specific Designers

Retention: Retain as long as the individual Designer Licensing Application File is retained.

See Also: For associated retention, see DEM6.10.6 (OWR OWTS/ISDS Designer Licensing Application Files).

DEM6.10.8 OWTS Installer Licensing Files

The records in this series include documentation related to the licensing of installers. The license files may include, but are not limited to, application documentation, documentation related to the payment of the application fee, copies of exams, and license renewal application forms, as well as a copy of the certificate of attendance in New England Onsite Wastewater Training Center's one-day class required for authority to install bottomless sand filters.

Retention: Retain ten (10) years, or three (3) years after re-licensing, whichever occurs sooner.

DEM6.11 Innovative and Experimental Systems and Technology Records

Experimental systems or technologies include any innovative OWTS that does not meet the location, design, or construction requirements as provided by existing OWR regulations, but which may demonstrate the ability to comply with the performance standards consistent with its Regulations.

DEM6.11.1 Innovative and Experimental Technology Applications Files

Records in this series include documentation of DEM activities related to individual applications for approval. Included are technology applications, supplemental application submissions, summaries of application reviews, minutes of meetings, communication with vendor applicants, draft and final approval certifications, internal communication regarding certification development, vendor reviews and comments on draft certifications, historical performance data, finalized guidance document detailing all design, installation, operation and maintenance requirements, training-related documentation, annual reports of performance, lists of individuals trained for design, installation and O&M, lists of installations for year, summary of failures and remedial actions, and lists of authorized service providers. Also included are renewal applications, requests from vendors to authorize modified technologies, new models, and revised certifications and renewed certifications.

Retention: Permanent.

DEM6.11.2 Technical Review Committee Meeting Files

The Technical Review Committee reviews and evaluates vendor applications for approval of innovative and alternative OWTS systems

and technologies that do not conform to the design parameters specified in the OWTS Rules. Records in this series include documentation of the meetings of the committee. Included are draft agendas, technology application summaries, reference material obtained by research performed during review of a technology application, communication with other regulatory agencies concerning a technology under review, material prepared to assist TRC consideration of specific issues (worksheets with examples of options), draft technology approval certifications and communications with vendor applicants, and final DEM certifications of approval.

Retention: Permanent.

DEM6.11.3 Approved Innovative and Experimental Technology Lists

This series consists of lists of OWR approved experimental technologies in both hard copy and electronic files.

Retention: Retain three (3) years after superseded.

DEM6.11.4 Technology Training Files

These files are associated with the corresponding vendor application files (DEM6.11.2 (Technical Review Committee Meeting Files)). The files can become quite large, so they are maintained with, but separate from, the data and installation reporting (which are incorporated into the technology files).

Retention: Retain until training expires.

DEM6.12 Water Quality Certification (WQC) Program

The WQC program regulates water pollution control activities which may cause or contribute pollution to waters of the state. The Water Quality Certification certifies that a proposed activity complies with the State's Water Quality Regulations. Pub. L. No. 92-500 § 401 of the Federal Clean Water Act requires that any Federal projects involving dredging and filling receive prior certification from the State WQC program.

DEM6.12.1 Water Quality Certification Permit Records

Records in this series may include, but are not limited to, completed application forms, water quality testing and sediment testing results, and approval and denial decision documentation. The files may also include construction plans, photographs, and application related correspondence, meeting attendance sheets, public hearing notices, public hearing exhibits and transcripts, inspection reports, operation and

maintenance plans, informal enforcement actions, and requests for information.

DEM6.12.1A All of the Above Records Including Plans, Notices, Applications, Except Soil Erosion and Sedimentation Control Plans (“SESC Plans”), Waivers, Denied Permits, or Records involving No Permit Required

Retention: Retain permanently, unless infrastructure is demolished, in which case retain until infrastructure is demolished.

DEM6.12.1B Waivers, Denied Permits, or No Permit Required

Retention: Retain ten (10) years after denial, or decision that no permit is required.

DEM6.12.1C SESC Plans for Permit with RIPDES Construction General Permit Requirements

Retention: Retain ten (10) years after permit authorization termination or permit authorization renewal.

DEM6.12.1D All Other SESC Plans

Retention: Retain until site is completed, plus three (3) years.

Note: Where a project also requires a permit from another OWR permit program (Wetlands, ISDS, RIPDES, Marine dredging and dredged material, and Underground Injection Control), the WQC decision may also be incorporated into the decision issued under that program.

DEM6.12.2 Water Quality Policy and Technical Assistance Files

The records in this series may include notes and policies regarding Water Quality Protection documentation, as well as technical assistance documentation developed for the Water Resources Board, Division of Planning reports, and presentations. The files may also include requests for intra-departmental WQC opinions.

DEM6.12.2A Water Quality Certification Policy Opinions and Comments

Retention: Permanent.

See Also: For associated retention, see GRS1.3 (Policies and Procedures).

DEM6.12.2B Technical Assistance Reports and Communications to Other Agencies

Retention: Retain ten (10) years.

DEM6.13 Freshwater Wetlands Program

The Department of Environmental Management administers and enforces the Rhode Island Freshwater Wetlands Act (R.I. Gen. Laws § 2-1-21 et seq.). The Act is intended to protect the State's wetlands in order to protect people and property from flooding, safeguard groundwater resources, provide valuable wildlife habitat and recreational opportunities, and protect surface water quality. In addition to implementing State wetlands law, the DEM develops policies and undertakes projects and initiatives intended to build the DEM wetland program in core regulatory and non-regulatory areas. The Department has also created a Water Quality and Wetland Restoration Team that is made up of individuals from various OWR programs. The team promotes effective partnerships between restoration proponents and OWR regulators, and helps to ensure that projects are successful and meet regulatory requirements.

DEM6.13.1 Wetland Policy Records

The records in this series include DEM and Coastal Resource Management Council (CRMC) Memorandum of Agreement for the administration of the State's freshwater wetland programs and the jurisdictional boundary. With some exceptions, freshwater wetlands landward of the boundary are regulated by DEM, and freshwater wetlands seaward of the jurisdictional boundary are regulated by CRMC.

Retention: Permanent.

See Also: For associated retention, see GRS1.3 (Policies and Procedures).

DEM6.13.2 Wetland Rulemaking Files

Retention: Permanent.

See Also: GRS2.5 (Rulemaking Files).

DEM6.13.3 Wetland Outreach and Training Records [SUPERSEDED]

The records in this series include surveys and questionnaires, compiled data, supporting documentation, draft and final (published) materials, updated published materials, agendas, presentations, handouts, evaluations and results, photographs and clippings, etc.

DEM6.13.3A Completed Survey/Questionnaire Forms
[SUPERSEDED]

Retention: Retain three (3) years.

See Also: For associated retention, see GRS5.4A (Completed Survey/Questionnaire Forms).

DEM6.13.3B Compiled Data [SUPERSEDED]

Retention: Retain until report is compiled and issued (minimum three (3) years). Before disposal of compiled data, consult State Archives to review for historical value.

See Also: For associated retention, see GRS5.4B (Compiled Data).

DEM6.13.3C Reports and Recommendations Issued, Instituted, or Arising from Surveys/Questionnaires
[SUPERSEDED]

Retention: Permanent.

See Also: For associated retention, see GRS5.4C (Reports and Recommendations).

DEM6.13.3D Surveys Unrelated to Agency Mission or Programs
[SUPERSEDED]

Retention: Retain three (3) years or until of no further administrative value, whichever is later.

See Also: For associated retention, see GRS5.4D (Surveys Unrelated to Agency Mission or Programs).

DEM6.13.3E Scrapbooks/Photo Albums/Clippings Created from Events [SUPERSEDED]

Retention: Permanent.

See Also: For associated retention, see GRS5.6 (Scrapbooks/Photo Albums/Clippings).

DEM6.13.3F Outreach and Training: Evaluation Forms and Compiled Data [SUPERSEDED]

Retention: Retain three (3) years or until of no further administrative value, whichever is later.

See Also: For associated retention, see GRS5.13A (Evaluation Forms and Compiled Data).

DEM6.13.3G Outreach and Training: Electronic Presentations [SUPERSEDED]

Retention: Retain each substantive version permanently.

See Also: For associated retention, see GRS5.13B (Electronic Presentations).

DEM6.13.3H Outreach and Training: All Other Records [SUPERSEDED]

Retention: Retain one (1) copy as a permanent record.

See Also: For associated retention, see GRS5.13C (All Other Records).

DEM6.13.4 Special Wetland Plans, Publications, Studies, and Reports

The records in this series include technical files, surveys/questionnaires, compiled data, including field data, notes and memoranda, presentations, draft and final plans, publications, studies, and reports.

Retention: Retain one (1) copy permanently.

See Also: For associated retention, see GRS1.6 (Special Plans, Publications, Studies and Reports).

DEM6.13.5 Wetland General, Technical, and Policy Reference Materials

Retention: Retain three (3) years or until of no further reference value, whichever is later.

See Also: GRS5.11 (Reference Material).

DEM6.13.6 Wetland Grant Program Files

Records relating to the office's development of grant proposals to State or Federal agencies or other funding sources, as well as records related to the administration of its own grant programs or programs administered by the agency. Records may include, but are not limited to, grant applications and agreements, studies, notices, technical specifications, drawings, plans, bid and contract records, accounting, banking, purchasing, and payroll records, bonds, monitoring and performance reports, expenditure and outlay reports, memoranda, and correspondence.

DEM6.13.6A Grant Applications and Amendments, Final Performance, Disposition and Expenditure Reports

Retention: Permanent.

DEM6.13.6B Financial and Programmatic Records, Periodic Performance Reports, Supporting Documents, Statistical Records, Other Required and Pertinent Records

Retention: Retain ten (10) years from submission of closeout and final expenditure report or submission of annual financial status report for grants renewed annually.

DEM6.13.6C Real Property and Equipment Records

Retention: Retain ten (10) years from the date of disposition, replacement, or transfer of property/equipment.

DEM6.13.6D Income Transaction Records (Earning of Income) after Grant Support Where Required by the Terms of the Grant

Retention: Retain ten (10) years from the end of fiscal year in which the income is earned.

DEM6.13.6E Unsuccessful Grant Applications

Retention: Retain three (3) years.

See Also: GRS1.18 (Grant Program Files).

DEM6.13.7 Wetland General Correspondence and Memoranda

Routine written communications created or received in the normal course of Wetland Program business. May include, but is not limited to,

referral letters, requests for information pertaining to the agency, requests for publications that the agency provides to the public, requests for the services provided by the agency, requests for records under the Access to Public Records Act (R.I. Gen. Laws Chapter 38-2), any other correspondence that does not affect policy or procedures, and routine internal memos (unless specific to agency policy or procedures). Records may be arranged chronologically, by subject, or in some other order that is meaningful to the agency. This series does not include correspondence that involves personnel decisions, allegations of misconduct, the program's facilities, complaints, or the program's budget.

Retention: Retain three (3) years.

See Also: GRS5.1 (General Correspondence and Memoranda).

DEM6.13.8 Wetlands Permitting Files

The records in this series may include, but are not limited to, Wetland Permit applications documentation, which may contain, but is not limited to, wetlands permit applications, biologist reports/evaluations, correspondence, deeds, engineer reports/evaluations, maps, site plans and supportive documentation, memoranda, permit renewals, permit modifications, stormwater review sheets, permit water quality reports/evaluations, and final administrative decision letters, as well as warning letters. Applications to Alter files include similar documentation, as well as abutter lists, public notices and comments, permit renewals, permit modifications, stormwater review sheets, permit water quality reports/evaluations, warning letters, and letters of non-conformance.

Retention: Permanent.

DEM6.13.9 Wetlands Information Files/Wetlands Determination Files

The records in this series include documentation related to requests DEM receives to determine the presence of wetlands at particular sites, or for wetland edge verification, that is, whether a piece of property is within a certain proximity of wetlands. These records may include, but are not limited to, biologist reports/evaluations, correspondence, final administrative decision letters, maps, site plans and supportive documentation, and memoranda.

Retention: Permanent.

DEM6.13.10 Water Quality and Wetland Restoration Team Records

The records in this series include applications for approval to implement measures targeting invasive species that are potentially harmful to

freshwater ecosystems. The records consist of Invasive Species Authorization files and Pre-Application Assistance files. Each file may include, but is not limited to, project information sheets, site drawings, project narratives, photographs, emails, meeting notes, authorization letters, and monitoring reports. Finally, the team maintains a Tracking Sheet of all team projects and activities. The Pre-Application Assistance files relate to assistance that the Wetland Program provides to groups or organizations involved in wetland restoration. Included in the files are meeting notes and hard copy files that are provided to the Wetland Program when the application is received.

DEM6.13.10A Invasive Species Authorization Files

Retention: Permanent.

DEM6.13.10B Pre-Application Assistance Files

Retention: Retain three (3) years.

DEM6.14 DEM/Agriculture Applications for Permit to Control Aquatic Nuisances Using Pesticides

The records in this series include documentation of OWR reviews of DEM/Agriculture Applications for Permit to Control Aquatic Nuisances Using Pesticides, including application submittals, review forms, plans, maps and correspondence.

Retention: Retain ten (10) years.

DEM6.15 Aquatic Invasive Species Records

Aquatic invasive species (AIS) are non-native plants and animals that have been introduced (accidentally or intentionally) into lakes and rivers, and whose introduction threatens the diversity or abundance of native species, the stability of the ecosystem and/or the use of the infested water body. The records relate to a monitoring program to survey state waters for the presence of invasive aquatic species, and the investigation of complaints concerning invasive species and a variety of outreach activities. The records in this series include quality assurance project plans (QAPPS), survey maps, field inspection forms, photographs, other maps, including statewide map of aquatic invasive species, documentation of communications with lake associations or other interested parties, and meeting notes.

DEM6.15A Survey Maps, Other Maps, Field Inspection Forms, Photographs Documenting Environmental Problems

Retention: Permanent.

DEM6.15B Documentation of Communications with Lake Associations, Meeting Notes, Other Photographs, and QAPPs

Retention: Retain ten (10) years.

DEM6.16 Water Resource Organization Participation Records

Staff of the OWR sometimes represent the Office or the Department on various state and regional government and quasi-government bodies. Current examples include the Department of Environmental Management Office of Water Resources Records Retention Schedule Approved April 2019 Narragansett Bay Estuary Program, the Water Resources Board, the New England Interstate Water Pollution Control Commission (NEIWPCC), the Association of Clean Water Administrators (ACWA), and the Rhode Island Bays, Rivers, Watersheds Coordination Team. The records in this series document the OWR's membership and participation in these organizations. The records include correspondence, agendas, meeting notes, and technology/policy documents.

Retention: Retain ten (10) years.

DEM6.17 Lakes Management Program

The OWR has responsibility for improving the protection of Rhode Island's freshwater lakes, ponds, and reservoirs. It does this by promoting the development and implementation of lake management plans. DEM also tracks citizen complaints concerning lake conditions on an annual basis.

DEM6.17.1 Lake, Pond, and Reservoir Monitoring Records

The records in this series include water quality related documentation accumulated for specific lakes. Records include individual lake management plan documents and correspondence pertaining to lake management plans, final lake reports, and complaints pertaining to lakes. The records may also include contract and grants related documentation for field inspection reports and for the collection of various kinds of water quality data.

DEM6.17.1A Reports

Retention: Permanent.

DEM6.17.1B Lake Water Quality Data

Retention: Permanent.

See Also: For associated retention, see DEM6.6.3B (Assessment Database Data).

DEM6.17.1C Grant Applications and Amendments, Final Performance, Disposition and Expenditure Reports [SUPERSEDED]

Retention: Permanent.

See Also: For associated retention, see GRS1.18A (Grant Applications and Amendments, Final Performance, Disposition, And Expenditure Reports).

DEM6.17.1D Financial and Programmatic Records, Periodic Performance Reports, Supporting Documents, Statistical Records, Other Required and Pertinent Records [SUPERSEDED]

Retention: Retain ten (10) years from submission of closeout and final expenditure report or submission of annual financial status report for grants renewed annually.

See Also: For associated retention, see GRS1.18B (Financial and Programmatic Records, Periodic Performance Reports, Supporting Documents, Statistical Records, Other Required and Pertinent Records).

DEM6.17.1E Real Property and Equipment Records [SUPERSEDED]

Retention: Retain ten (10) years from the date of disposition, replacement, or transfer of property/equipment.

See Also: For associated retention, see GRS1.18C (Real Property and Equipment Records).

DEM6.17.1F Income Transaction Records (Earning of Income) After Grant Support Where Required by the Terms of the Grant [SUPERSEDED]

Retention: Retain ten (10) years from the end of fiscal year in which the income is earned.

See Also: For associated retention, see GRS1.18D (Income Transaction Records (Earning of Income) After Grant Support Where Required by the Terms of the Grant).

DEM6.17.1G Unsuccessful Grant Applications [SUPERSEDED]

Retention: Retain three (3) years.

See Also: For associated retention, see GRS1.18E (Unsuccessful Grant Applications).

DEM6.17.1H Complaints

Retention: Retain five (5) years.

DEM6.18 Federal EPA Funding Oversight Records [SUPERSEDED]

DEM receives federal grant funding from the Environmental Protection Agency. The records in this series include documents related to EPA's oversight of OWR's federally funded work. The records include, but are not limited to, program reviews and official determinations of continued availability of funding for Non-Point Source Pollution efforts; official notification of decisions that relate to EPA's decisions about the OWR's programs, and the EPA's approval of OWR waivers from mandated guidance.

DEM6.18A Grant Applications and Amendments, Final Performance, Disposition and Expenditure Reports [SUPERSEDED]

Retention: Permanent.

See Also: For associated retention, see GRS1.18A (Grant Applications and Amendments, Final Performance, Disposition, And Expenditure Reports).

DEM6.18B Financial and Programmatic Records, Periodic Performance Reports, Supporting Documents, Statistical Records, Other Required and Pertinent Records [SUPERSEDED]

Retention: Retain ten (10) years from submission of closeout and final expenditure report or submission of annual financial status report for grants renewed annually.

See Also: For associated retention, see GRS1.18B (Financial and Programmatic Records, Periodic Performance Reports, Supporting Documents, Statistical Records, Other Required and Pertinent Records).

DEM6.18C Real Property and Equipment Records [SUPERSEDED]

Retention: Retain ten (10) years from the date of disposition, replacement, or transfer of property/equipment.

See Also: For associated retention, see GRS1.18C (Real Property and Equipment Records).

DEM6.18D Income Transaction Records (Earning of Income) After Grant Support Where Required by the Terms of the Grant [SUPERSEDED]

Retention: Retain ten (10) years from the end of fiscal year in which the income is earned.

See Also: For associated retention, see GRS1.18D (Income Transaction Records (Earning of Income) After Grant Support Where Required by the Terms of the Grant).

DEM6.18E Unsuccessful Grant Applications [SUPERSEDED]

Retention: Retain three (3) years.

See Also: For associated retention, see GRS1.18E (Unsuccessful Grant Applications).

DEM6.19 Certificates of Records Destruction [LEGACY – DUPLICATE]

Certification of Records Destruction forms signed by the authorized agency official and submitted to, and signed by, the State Archivist/Public Records Administrator. Certificates authorize the disposal of records listed in this and other applicable records retention schedules. (R.I. Gen. Laws §§ 38-1-10, 38-3-6(j), and 42-8.1-10)

Retention: Permanent.

See Also: This record series is for information only, see GRS6.8B (Certificates of Records Destruction).

DEM7 Office of Emergency Response

DEM7.1 Site Report Files

DEM's Office of Emergency Response is responsible for assessment, containment, and remediation of environmental incidents. Incidents are categorized in accordance with their seriousness (severity, extent, type of material involved, population affected, and resources required to handle the incident). File content depends on the type of incident (chemical spill, fish kill, battery storage, etc.). Files may include, but are not limited to, a wide variety of forms, checklists, and worksheets designed to guide and document incident management. Records may include, but are not limited to site safety plans, incident command structure forms, organization assignment lists, status update forms, spill reports, analytical and sampling reports, impact on natural resources reports, chain of custody forms, access agreements, assessment reports, site plans, and no further action letters.

DEM7.1A Minor/Moderate Incident Files

Retention: Retain seven (7) years after no further action letter is issued.

DEM7.1B Major/Severe Incident Files

Retention: Permanent.

DEM7.2 Emergency Response Cost Recovery Files

Files document DEM's recovery of costs for expenditures on environmental cleanups. Case files may include, but are not limited to, copies of the following: Emergency Response reports, completed Authorized Overtime forms, completed Call-In forms, spill clean-up contractor invoices, cost recovery payment request letters, cost recovery expenditure forms, cost recovery payee forms, and any related correspondence.

Note: For audit purposes, record copy of cost recovery documentation is held at DEM Management Services.

DEM7.2A Minor and Moderate Incidents

Retention: Retain seven (7) years after cost recovery payments are complete.

DEM7.2B Major and Severe Incidents

Retention: Permanent.

DEM7.3 Emergency Response Site Report Listing

Contains a listing of all Rhode Island emergency response sites, updated monthly.

Retention: Retain three (3) years.

DEM7.4 Aboveground Storage Tank (AST) Facility Files

Documentation of monitoring activities relating to aboveground storage tank facilities for compliance with applicable laws, departmental regulatory requirements, and standards respecting tank registration, labeling, design and construction, regular inspection, repair, and spill clean up. Case files may include completed tank registration applications, tank registration numbers, formal/informal forms and documents, inspection reports, site plans, oil pollution control documents and all related correspondence. Also includes documentation concerning owner, operator or lessee reports, notices of violations and correspondence related to requirements.

Retention: Retain seven (7) years after facility is closed.

DEM7.5 Certificates of Records Destruction [LEGACY – DUPLICATE]

Certification of Records Destruction forms signed by the authorized agency official and submitted to, and signed by the State Archivist/Public Records Administrator. Certificates authorize the disposal of records listed in this and other applicable records retention schedules. (R.I. Gen. Laws §§ 38-1-10, 38-3-6(j), and 42-8.1-10)

Retention: Permanent.

See Also: This record series is for information only, see GRS6.8B (Certificates of Records Destruction).

DEM8 Division of Parks and Recreation

DEM8.1 State Recreational Facilities Attendance Records

Year round and seasonal records documenting number of visitors to state parks, beaches, and other state recreational facilities. Records consist of attendance records. Records document level of use. Data may be used to prepare annual attendance reports or to respond to external requests for use statistics.

Retention: Retain ten (10) years.

DEM8.2 Entrance and Use Records

Parks and Recreation issues passes to several classes of users and permits for various uses of state park areas and other state recreational facilities. In addition to resident and non-resident seasonal passes, free passes are offered to eligible senior citizens and disabled persons. DEM personnel collect fees for park or beach day admittance, parking and for each type of use permit. Types of use may include, but are not limited to, beaches, camping, shelters, golf, picnic, and other recreational activities and special event permits. Documents include information related to attendance and use.

Retention: Retain ten (10) years, or one year after audit, whichever is sooner.

DEM8.3 Claims Records

Documentation concerning Parks and Recreation settlement of claims for property damage sustained by members of the public while on Parks and Recreation grounds. Documentation includes claims forms. May also include documentation related to legal action on property damage.

Retention: Retain ten (10) years after settlement of claims.

DEM8.4 Lease and License Agreement Files

Parks and Recreation offers contracts to food concessions and other vendor services to operate on Parks and Recreation property. Files include agreements authorizing the use of state park buildings and other facilities. Documentation includes lease agreements and contracts.

Retention: Retain seven (7) years after expiration of lease, agreement, or contract, and/or seven (7) years after final disposition of legal case.

DEM8.5 Park Ranger Reports

Shift logs or daily logs completed by park supervisors. Logs document daily tasks and activities and responses to alarms, vandalism, disturbances, and complaints. Logs are kept in custody of regional managers.

Retention: Retain five (5) years.

DEM8.6 Lifeguard Certification Records

All individuals employed as lifeguards at bathing areas within the State of Rhode Island must hold an active state lifeguard certification card as issued by the Division of Parks and Recreation. Lifeguards holding surf cards may be employed at either surf or non-surf bathing areas.

Lifeguards holding non-surf cards may be employed only at non-surf bathing areas. All certification cards are active during the season of their employment and until the following June 30, unless suspended or revoked by the Division of Parks and Recreation. Records document individual taking of test, test results, type of certification, documentation of required training, and may also include letters of suspension or revocation.

Retention: Retain for six (6) years.

DEM8.7 Swimming Facility Inspection Records

Department is authorized and empowered to adopt and prescribe rules of procedure and regulations and make any orders and perform any actions that it may deem necessary to the proper administration and supervision of drowning prevention, lifesaving, first aid and safety personnel and equipment. This authority covers all camps, campgrounds, bathhouses, bathing resorts, beachside motels or boarding houses, beachside parking areas, swimming pools, other beach and swimming areas, surfing areas, amusement parks, and skiing areas which serve all and/or any part of the general public by fee, membership, or invitation. Parks and Recreation is responsible for inspection of swimming facilities and sites. Records include inspection reports as well as orders issued by Parks and Recreation in cases of finding of non-conformity and documentation of compliance with orders. May also include legally related documents for facilities that fail to comply with orders. Does not apply to facilities maintained by a person without charge or assessment to the general public and which are for the sole use of their family, private guests, or tenants. (R.I. Gen. Laws § 23-22.5-1)

Retention: Retain ten (10) years or one year after resolution of legal case.

DEM8.8 Certificates of Records Destruction [LEGACY – DUPLICATE]

Certification of Records Destruction forms signed by the authorized agency official and submitted to, and signed by the State Archivist/Public Records Administrator. Certificates authorize the disposal of records listed in this and other applicable records retention schedules. (R.I. Gen. Laws §§ 38-1-10, 38-3-6(j), and 42-8.1-10)

Retention: Permanent.

See Also: This record series is for information only, see GRS6.8B (Certificates of Records Destruction).

DEM9 Office of Criminal Investigation

DEM9.1 Investigation Case Files

Office of Criminal Investigation's (OCI) primary goal is to enforce the laws of the State of Rhode Island relating to hazardous waste, solid waste violations, and water pollution. OCI undertakes cases involving potential violations of environmental sections and chapters of state criminal statutes. OCI conducts investigations in conjunction with the federal Environmental Protection Agency's Office of Criminal Investigation, RI State Police, State Attorney General's Office, and the U.S. Attorney's Office in Providence. Investigations involve gathering information, evidence, and witnesses for the purpose of charging alleged violators/polluters. OCI prepares cases for grand jury and court prosecution by the state's Attorney General. Closed case files contain information that may be used in the future to reconstruct environmental conditions or to gather additional information pertinent to a new case. Documentation of the investigation process includes, but is not limited to, grand jury indictments, subpoenas, summons, witness statements, case reports, analytical results, Miranda Rights, chain of custody documents, search warrants, arrest warrants, police narratives, complaint reports, final disposition photographs, video (DEM9.2 (Video Case Files)), suspended documents, fingerprints, Consent Orders, Motion for Discovery, Motion to Expunge. When criminal charges are filed, OCI makes a copy of the case file for the Attorney General and retains original documents. Where no charges are brought forward, OCI keeps the original case file and forwards a copy to Attorney General.

Retention: Permanent.

Note: Record series includes expunged records. Expunged records are restricted and therefore not open to public review under the state's Expungement of Criminal Records statute (R.I. Gen. Laws § 12-1.3-4).

DEM9.2 Video Case Files

Videocassettes containing film of evidence and crime scenes relating to DEM investigations. Videocassettes are associated to particular investigation file.

Retention: Retain for life of tape.

DEM9.3 Firearms Qualification Documentation

R.I. Gen. Laws §§ 11-47-15.1 and 11-47-17 require that law officers in the state of Rhode Island qualify annually for the firearms with which the

state provides them. Documentation pertains to annual firearms qualification, scores, weapons qualifications card, off-duty weapons, and Oleoresin Capsicum (pepper spray) training.

Retention: Retain five (5) years after date of issuance.

DEM9.4 Complaint Forms

Department of Environmental Management's (DEM's) Office of Compliance and Inspection regularly transmits copies of complaint forms it receives to OCI. OCI evaluates information on each form to determine whether or not there is sufficient cause to pursue the case as a potential criminal matter. Complaint forms meriting further OCI action are placed in an Investigation Case File (DEM9.1 (Investigation Case Files)). This series consists of those forms that OCI determines contain insufficient or inappropriate information for pursuing the case as a potential criminal matter.

Retention: Retain until of no further administrative value.

DEM9.5 Complaints Database

Database containing a log of complaints received by OCI. Data is used to generate periodic statistical report on number of complaints OCI pursued.

Retention: Retain three (3) years.

DEM9.6 Notice of Intention to Enforce/Letter of Noncompliance/Notice of Violation

Copies of records forwarded from Office of Compliance and Inspection. May include complaint forms, correspondence, complaint investigation reports, photos, site investigation plans, warning letters, Notices of Intent to enforce, letters of non-compliance, notices of violations and any other documents that may be pertinent to the development of a criminal case.

Retention: Retain three (3) years.

DEM9.7 Certification of Records Destruction [LEGACY – DUPLICATE]

Certificates of Records Destruction signed by the authorized agency official and submitted to, and signed by the State Archivist/Public Records Administrator. Certificates authorize the disposal of records listed in this and other applicable records retention schedules. (R.I. Gen. Laws §§ 38-1-10, 38-3-6(j), and 42-8.1-10)

Retention: Permanent.

See Also: This record series is for information only, see GRS6.8B (Certificates of Records Destruction).

DEM10 Director's Office – Ombudsman

DEM10.1 Complaint Records

The office of Ombudsman of the Department of Environmental Management (DEM) was established in 1999 to undertake independent and, in certain cases, confidential, fact-finding in response to external or internal complaints or questions about the Department's performance. The Ombudsman was charged with facilitating resolution of complaints in coordination with Department staff and management, and making recommendations to the Director on matters irresolvable through such coordination. The Ombudsman was also responsible for ensuring that the fact-finding process was perceived and experienced as an independent, impartial, fair, and credible process. All members of the Department's staff bore responsibility for cooperating with the Ombudsman towards this goal. The records consist of complainant correspondence concerning various services performed by the Department as well as documentation from those parts of the agency against which complaints were lodged.

Retention: Retain three (3) years.

DEM10.2 Business and Environmental Roundtable Files

DEM has met with members of the environmental and business communities to listen to their concerns and to deal with issues raised at these Roundtables. The Ombudsman organized these meetings from 1999 to September 2006. Documents from the meetings include notes, newsletters, agendas, and handouts.

DEM10.2A Agendas, Minutes of Meetings, and Newsletters

Retention: Permanent.

DEM10.2B All Other Records

Retention: Retain three (3) years.

DEM10.3 Task Force Files

From 2000 to 2002 DEM gathered stakeholders to discuss ways to streamline the permitting programs involving Wetlands, ISDS (Septic Systems), Air Pollution, Construction, and Waste Site Remediation. DEM also coordinated the activities of the Litter Task Force. Material that documents the task force process includes meeting minutes, meeting

agendas, and final reports, and information used to develop the charter for the task forces.

DEM10.3A Final Reports

Retention: Permanent.

DEM10.3B Committee, Sub-Committee, and Work Group Meeting Minutes

Retention: Permanent.

DEM10.3C All Other Records

Retention: Retain five years.

DEM10.4 Project Files

The Ombudsman is also an assistant to the Director of DEM. As such, the Director assigns projects to the Ombudsman in which DEM has an interest. The Ombudsman may serve as lead or participant on these projects. As project lead, the Ombudsman holds official and unique records relating to projects. Projects include evaluation of topics like land and water-based wind turbines, the Governor's Narragansett Bay Commission, Bay Street Tiverton Area Study, DEM Record Management Policy, Program Assessments jointly performed by federal and DEM Divisions/Offices and other DEM planning efforts. Material may constitute research notes, correspondence, and reports that detail the completion of projects assigned to the Ombudsman.

DEM10.4A Ombudsman Lead on Project

Retention: Permanent.

DEM10.4B Ombudsman Serves as Participant

Retention: Retain five (5) years.

DEM10.5 Quality Management Files

Quality Management refers to DEM's initiative to ensure that all environmental data it generates and compiles is of known quality, adequate for its intended use, well documented, and is verifiable and defensible. The Ombudsman is responsible for coordinating DEM's Quality Management program. This series relates to information concerning the development and revision to the DEM Quality Management Plan, Quality Assurance Status Updates, Program Self-Assessments, Standard Operating Procedures, and Quality Assurance

Project Plans Documents include policies, and copies of Divisions/Office material that are used to comply with EPA and state guidance.

DEM10.5A Policy and Plan Documents

Retention: Permanent.

Note: Individual program offices within DEM may prepare quality assurance project plans. These documents are permanent, as specified by GRS1.6 (Special Plans, Publications, Studies and Reports).

DEM10.5B Supporting Documents

Retention: Retain until of no further administrative value.

DEM10.5C Reference Documents

Retention: Retain until of no further administrative value.

DEM10.6 Quality Team Meeting Files

Information documenting DEM internal Quality Team meetings including meeting notes, agendas and meeting handouts. The Quality Team is responsible for implementing DEM's Quality Assurance Program.

Retention: Retain three (3) years.

DEM10.7 State EPA Quality Assurance Roundtable Records

DEM participates with other New England state members and federal Region I EPA personnel in discussions of issues that involve the agency's quality assurance programs. EPA is the coordinator of these meetings. This series contains information documenting DEM, EPA and Region I states meetings, including meeting notes, agendas and meeting handouts.

Retention: Retain three (3) years.

DEM10.8 Performance Partnership Agreement (PPA) Documentation

Performance Partnership Agreements (PPAs) set out jointly-developed priorities and protection strategies how EPA and individual states will work together to address priority needs. States can choose to combine federal environmental program grant funds in Performance Partnership

Grants (PPGs), which allow states to direct resources where they are needed most or try innovative solutions to environmental problems. Under the PPA, DEM receives funding from the federal Environmental Protection Agency to fund its federally delegated programs. In July 2005 the Rhode Island Department of Environmental Management (RIDEM) received a grant from the Environmental Council of States (ECOS) to develop a better way to track and report state PPA activities to the EPA. The PPA agreement requires that DEM develop a mechanism that describes DEM's work plan. DEM has also established an electronic tracking and performance reporting mechanism to fulfill agreement commitments. Information in this series includes correspondence and EPA guidance documents that detail the building of the yearly work plan, end of year reports generated by an electronic tracking system and program joint assessments conducted by DEM/EPA.

DEM10.8A Year-End Reports

Retention: Permanent.

Note: Individual offices within DEM may prepare studies and reports with a data quality component. These documents are permanent, as specified by GRS1.6 (Special Plans, Publications, Studies and Reports).

See Also: For yearly Quality Management Plan, see DEM10.5 (Quality Management Files).

DEM10.8B All Other Records

Retention: Retain five (5) years.

DEM10.8C Electronic Data

Retention: Retain until updated.

DEM10.9 Certificates of Records Destruction [LEGACY – DUPLICATE]

Certification of Records Destruction forms signed by the authorized agency official and submitted to, and signed by, the State Archivist/Public Records Administrator. Certificates authorize the disposal of records listed in his and other applicable schedules. (R.I. Gen. Laws §§ 38-1-10, 38-3-6(j), and 42-8.1-10)

Retention: Permanent.

See Also: This record series is for information only, see GRS6.8B (Certificates of Records Destruction).

DEM11 Office of Waste Management

DEM11.1 Waste Transportation Permitting Files

This series relates to the issuance of permits to companies to transport regulated wastes. This includes hazardous, medical and septage waste. Each company file contains three sections: a permit application section, a hazardous waste fee section (hazardous waste transporters only), and an incident/history section. Permits and licenses are good for one year. The permit application section contains documentation related to company applications for permits to carry waste within or through the state of Rhode Island. The file also includes vehicle checklists, information concerning the licensing of each of the company's waste transportation vehicles, records of driver training, as well as emergency plans. Records are arranged by company name for each year. The hazardous waste fee section includes records documenting the quarterly payment of hazardous waste fees to DEM. The incident/history section relates to incidents and events such as company violations, ownership changes, and company closure that are an important part of the company's regulatory history. This series also includes two types of electronic data. One consists of quarterly reports accompanying the payment of hazardous waste fees. A second set consists of partial extracts of data from the permitting file.

DEM11.1A Paper Files

Retention: Retain five (5) years.

DEM11.1B Electronic Data

Retention: Permanent.

DEM11.1C Permit Applications Along with Vehicle Checklists

Retention: Retain three (3) years.

DEM11.1D Hazardous Waste Quarterly Report Certifications/Fee Collection

Retention: Retain three (3) years.

DEM11.2 Annual Hazardous Waste Evaluation and Fee Reports

Each year the Department must produce a written report of its evaluation of total fees collected during the past fiscal year (beginning July 1 and

ending June 30). The Department produces written evaluations within ninety days of the close of the fiscal year and makes the evaluation available to the public. The Department accepts written comments on the report for a period of ninety (90) days following its release. After the close of the ninety (90) day comment period the Department conducts a meeting to discuss the written comments that are received.

Retention: Permanent.

DEM11.3 Waste Transportation Manifests

This series includes waste transportation manifests. These documents provide a record of the chain of custody of each shipment of waste transported within, to, or from Rhode Island. Each manifest provides evidence of the waste generator, the company or companies involved in the transportation of the waste, and the final recipient/destination as well as the nature of the waste.

Retention: Retain ten (10) years from the date of transport.

DEM11.4 Hazardous Waste Management Facilities Permit Files

The construction, substantial alteration, or operation of a hazardous waste treatment, storage or disposal facility requires an operating permit or approval from the Director of DEM for the life of the facility. The Department is empowered to grant, renew, deny, suspend or revoke permits for the operation of hazardous waste management facilities as well as the plans and specifications for the installation of any equipment in such facilities. Permits are valid for up to five years and must be periodically renewed. This series consists of documentation relating to the issuance of permits for the operation of hazardous waste treatment, storage, and disposal facilities. The records document the application review process and the renewal process. The application documentation contents of the file depend on the nature of the waste, waste facility, and type of permit application (including incinerator, land disposal, landfill, universal wastes, and mixed waste). Records include, but are not limited to, completed application forms, documentation of ownership as well as a list of owners, and properly stamped and registered general plans. Plans and specifications may include, but are not limited to, the following: design and construction documentation, on-site operational plans and units, access control measures, property lines, container system designs, water presence and management within a certain distance of the proposed facility, photographs of existing facilities, a federally conformant groundwater monitoring plan that can determine facility's impact on the groundwater in the uppermost aquifer underlying the facility, flood plain operations, chemical and physical analysis of hazardous waste and a copy of a waste analysis plan, procedural

accident contingency plans, area traffic patterns, financial assurance documentation, and copies of manifests for materials sent or received by facilities.

DEM11.4A Facility Self-Inspection Reports

Retention: Retain three (3) years.

DEM11.4B Closure Reports

Retention: Permanent.

DEM11.4C All Other Records

Retention: Retain thirty (30) years.

DEM11.5 Solid Waste Management Facilities Permit Files

Waste Management is responsible for minimizing environmental hazards associated with the operation of facilities handling solid waste generated by residential, institutional, commercial, industrial and agricultural sources. This currently encompasses solid waste landfills, transfer stations and collection stations, incinerators and resource recovery facilities, waste tire storage and recycling facilities, petroleum-contaminated soil processing facilities, and facilities that process construction and demolition debris, and composting facilities. Depending on the type of waste, these facilities cannot lawfully operate without licensing and/or registration by the DEM. This series pertains to the licensing and registration of these facilities. The licenses remain valid for three years. File contents may vary with type of facility. Records may include, but are not limited to, site plans, radius plans, construction and engineering plans, operational plans, corrective action plans, monitoring reports, and facility closure plans, as well as various site investigation reports, periodic inspection reports and correspondence relating to legal or regulatory compliance issues. Depending on the type of solid waste, the files may also contain documents related to proof of property and facility ownership, insurance and surety arrangements, groundwater hydrology, fingerprinting/sample testing documentation, sedimentation and erosion control, contingency plans, and inventories of records to be kept and correspondence related to orders, license denials, suspensions, or revocations for non-compliant facilities.

DEM11.5A Leaf and Yard Waste Composting Facility Registrations

Retention: Retain (3) three years.

DEM11.5B Putrescible Waste Composting Facility Registrations

Retention: Retain (3) three years.

DEM11.5C Mixed Solid Waste Composting Facility License Applications

Retention: Retain (3) three years.

DEM11.5D Construction and Demolition Debris Processing Facility Registration Applications

Retention: Retain ten (10) years after closure.

DEM11.5E Construction and Demolition Debris Processing Facility Permit Applications

Retention: Retain ten (10) years after closure.

DEM11.5F Waste Tire Storage and Recycling Facility Licenses

Retention: Retain (3) three years.

DEM11.5G Petroleum Contaminated Soil Processing Facility License Applications

Retention: Retain ten (10) years after closure.

DEM11.5H Resource Recovery Facility License Applications

Retention: Retain twenty (20) years after closure.

DEM11.5I Landmark Cases

Retention: Permanent.

DEM11.5J Solid Waste Files

Retention: Retain twenty (20) years.

DEM11.6 Solid Waste Surveys

This series consists of reports from waste management facilities on solid waste collection and disposals. Most of these are solid waste transfer stations and processing facilities for construction and demolition debris. The reports indicate how much of different kinds of waste were received and where the waste was sent.

Retention: Permanent.

DEM11.7 Medical Waste Facility Permit Applications

These files consist of applications to operate medical waste processing facilities and medical waste transfer stations. They include information on how waste will be processed, how records will be kept and descriptions of quality control procedures. The files also include efficacy testing to demonstrate the technology is capable of destroying microorganisms in waste.

Retention: Retain twenty (20) years.

DEM11.8 Medical Waste Transporter Reports

Transporters of medical or septage waste must obtain a permit from the DEM (pursuant to Section 14.03 of the Rules and Regulations Governing the Generation, Transportation, Storage, Treatment Management and Disposal of Regulated Medical Waste in Rhode Island). They are also required by Section 14.14 of these regulations to submit a Medical Waste Transporter Report for the periods January 1 to June 30 and July 1 to December 31 of each year.

Retention: Retain (3) three years.

DEM11.9 Facility Operating Records

Permitting facilities (for solid, medical or hazardous wastes) are often required to submit records regarding regular self-inspections, quantities of waste received and other routine operations.

Retention: Retain (3) three years.

DEM11.10 Underground Storage Tank Registration Files

“Underground storage tanks” means underground tanks whose volume is ten percent or more beneath the surface of the ground, as well as associated components, including piping, used to contain an accumulation of petroleum product or hazardous material. To protect the waters of the state, including groundwater, certain classes of underground storage tanks specified in the state regulation require Department of Environmental Management (DEM) certificates of registration that demonstrate legal and regulatory compliance. Facility owners and operators of proposed and existing systems must complete, certify, and submit to DEM the application forms available from the Department. These forms may include, but are not limited to, Operator, Ownership, and Registration Forms, UST Certified Operator Forms, Repair and Installation Forms, UST System Closure and Removal Forms, and DEM UST Field Inspection Reports. Facility owners must also submit applicable registration fees. Documentation pertains to applicant profile and the payment of applicable fees. The records may

also include documentation related to temporary or permanent site closure and the most recent tightness test results.

Retention: Permanent.

DEM11.11 Leaking Underground Storage Tank Remediation Records

DEM UST program responsibility includes responses to reported releases of petroleum products or hazardous materials from regulated UST systems. This series includes records that document responses to reported UST system releases. Records may include Release Characterization Reports, closure assessment reports, site investigation reports, corrective action plans (CAP), Orders of Approval for CAPs. Records may include, but are not limited to the following information: a history of the site, including, but not limited to, any and all past environmental enforcement actions related to a release, a site plan showing the location and the immediately surrounding area, and identifying the following items: the nature, degree and extent of contamination threats to the public health and environment, description of the site's hydrogeology, description of the area surrounding the site and identification of all human and environmental receptors, corrective action plans, which may include proposed method for remediation, detailed design plans, proposed plans for the disposal of any products or by-products from the remediation activities, results of any aquifer testing or pilot testing required to support the remedial system, or a detailed proposal to conduct such testing, proposed schedule for implementation of the corrective action plan, proposed groundwater monitoring program including the monitoring wells and copies of No Further Action letters and Orders of Approval.

Retention: Permanent.

DEM11.12 Tightness Tester Licensing Records

Any individual or business wishing to conduct tank tightness tests in Rhode Island must be licensed by the DEM. This series includes documentation related to the license application, approval, renewal, as well as license revocation and suspension process. Individual applicant files include, but may not be limited to, documentation pertaining to applicant certification of appropriate liability insurance, certification issued by the manufacturer of the equipment attesting to applicant's successful completion of training in DEM-accepted tightness test method pertaining to the test equipment, description of the equipment to be used to perform tests, responsibility for maintenance and calibration of the equipment, and description of the applicant's relevant experience.

Retention: Retain fifteen (15) years after last application.

DEM11.13 Underground Storage Tank (UST) Financial Responsibility Claims and Reimbursement Fund Files

All owners/operators of USTs in Rhode Island storing petroleum or hazardous waste are required to have appropriate insurance coverage for their operations in case storage tank leaks occur. The Rhode Island Underground Storage Tank Financial Responsibility Act, created by Rhode Island statute, provides UST operators with an option for coverage that provides compensation of eligible costs for remediation following leak incidents, provided they are in compliance with the UST regulations. DEM's UST program is responsible for overseeing the administration and implementation of the Reimbursement Fund. Documentation in this series pertains to applications for membership in the fund, as well as documentation relating to review of submissions and claims for reimbursement from eligible parties following leak incidents, approval, modification, or denial of claims. Documentation includes compliance application forms and other application related documents. Other documentation pertains to claims, including reimbursement forms, lists of eligible and ineligible expenses, accounts of remediation expenses, audit documentation, incident descriptions forms, soil information, and remediation system information and monitoring technology. The files may include DEM claim approval and denial documents, appeals and hearings documentation, and subrogation agreements.

Retention: Retain three (3) three years after settlement of latest claim.

DEM11.14 Site Investigation Documents – State Sites

Records in this series relate to the description and assessment of state hazardous waste sites, including their location, conditions, the identification of responsible parties, as well as planned responses. Records may include, but are not limited to, notification of release documents, preliminary assessments, site inspections, site histories, Notices of Violation and Immediate Compliance Orders, Letters of Responsibility, Program Letters, site plans and drawings showing location of buildings, tanks, wells, sampling locations, environmentally significant features, potentially contaminated areas, and surrounding environment for pre-remedial site assessments, Remedial Decision Letters, risk assessment documents and hazardous ranking documents of site assessment projects. Files may also include site investigation plans, site investigation reports and other reports as well as feasibility studies, to allow director of DEM to adequately assess the nature and extent of contamination, and to evaluate and design a proposed remedy. Also may include quality assurance project plans for site remediation

projects. Related records may include pictures, film, samples and other evidence

DEM11.14A Final Documents

Retention: Permanent.

DEM11.14B Draft Documents and Copies

Retention: Retain until receipt of final documents.

DEM11.15 Remedial Action Files – State Sites

This series consists of records related to the planning, implementation, and progress of activities concerning the remediation of sites based upon pre-remediation assessments and findings. The contents of each project file depend on DEM's involvement, the course of action, and process of remediation. Remediation can range from relatively informal process of communication and action to formal and increasingly coercive requirements, depending on the severity of the episode, as well as the impact and urgency of the situation. Records may include letters of agreement, Consent Agreements, Remedial Agreements, site remediation plans, Remedial Action Work Plans, various orders to responsible parties, approval letters, Remedial Approval Letters, Orders of Approval, risk assessments, background studies, Interim Letters of Compliance, Letters of Compliance, maintenance and monitoring documentation, progress reports of remedial actions, and remedial design documents. The files may also contain documentation related to site closures, including records of operation of closure, Closure Reports, and post-closure site reviews, Environmental and Use Restriction (ELUR), and Soil Management Plans. The files may also contain documentation related to site closures, including records of operation of closure, closure reports, and post-closure site review.

DEM11.15A Final Documents

Retention: Permanent.

DEM11.15B Draft Documents and Copies

Retention: Retain until receipt of final documents.

DEM11.15C Maintenance and Monitoring Documentation

Retention: Retain ten (10) years after monitoring is complete.

DEM11.16 Emergency and Short-Term Response Permit Files

DEM has established a procedure and regulation relating to emergency and short-term responses to minimize or stop release of hazardous materials posing an imminent threat to the state's environment. The Director may require the submittal of monitoring and evaluation progress reports on a specified schedule throughout the Emergency and Short-Term Response Action. To remove imminent hazards that are anticipated to take longer than twenty-four (24) hours, responsible parties must obtain an Emergency Permit prior to initiating treatment actions proposed as part of that response. Emergency Permit applications must include the manner and location of all proposed treatment operations. Copies of public notices published in a local newspaper of largest regional circulation accompany Emergency Permits. Records may include, but are not limited to, Emergency Permit applications, copy of issued permits, copies of public notices, affidavits of publication, short-term response work plans, and Emergency and Short-Term Response Report providing a detailed summary of all investigations and activities taken in response to the release, including all analytical data and disposal documentation. Files may also include records documenting independent certification of the accuracy of the report.

DEM11.16A Final Documents

Retention: Permanent.

DEM11.16B Draft Documents and Copies

Retention: Retain until receipt of final documents.

DEM11.17 Pre-Remedial/Superfund/Department of Defense (DOD) Documentation Sites

The Department of Environmental Management is responsible for responding to in-state releases of hazardous substances as defined by the federal Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), known as the Superfund Law. This series concerns sites evaluated for Environmental Protection Agency (USEPA) National Priority List status. Releases include any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment (including the abandonment or discarding of barrels, containers, and other closed receptacles containing any hazardous substance or pollutant or contaminant). This series includes documentation related to DEM's responsibilities for State-led Superfund actions and for USEPA or DOD-led actions, including federal-state memoranda/letters of agreement with respect to the responsibility for identification, investigation, and financing of responses to hazardous waste sites that fall, or potentially fall these

two categories of CERCLA jurisdiction. Depending on the state's role as defined by agreement, pre-remediation may include activities related to site investigation and data gathering. Records may include correspondence with potential responsible parties (entity responsible for various phases of remediation), site discovery documentation, site prioritization, preliminary assessments, removal action reports, site investigations and expanded site investigations, feasibility studies, risk assessments, quality assurance project plans. Files may also include Records of Decision, Orders of Approval for complex site remedies, and Remedial Approval Letters for simple site remedies, as well as maintenance/monitoring reports, five-year reviews of Superfund sites, Settlement Agreements and related correspondence.

DEM11.17A Final Documents for State-Led Actions

Retention: Permanent.

DEM11.17B Draft Documents and Copies

Retention: Retain until receipt of final documents.

DEM11.17C Final Documents for USEPA/DOD-Led Actions

Retention: Retain twenty-five (25) years.

Note: The Federal government maintains the Official Administration Record permanently.

DEM11.17D Monitoring Reports

Retention: Retain ten (10) years after monitoring is complete.

DEM11.18 Remedial Documentation – Superfund/Department of Defense (DOD) Sites

Remediation refers to the implementation, operation, and maintenance of remedial actions. Records include remedial action work plans, remedial action reports, remediation design and approval documents, feasibility studies, remedial investigations, monitoring reports, progress reports, construction completion reports, and closure reports, as well as post-closure documentation, maintenance/monitoring reports, delisting documentation, Settlement Agreements and related correspondence.

DEM11.18A Final Documents

Retention: Permanent.

DEM11.18B Draft Documents and Copies

Retention: Retain until receipt of final documents.

DEM11.19 Certificates of Records Destruction [LEGACY – DUPLICATE]

Certification of Records Destruction forms signed by authorized agency official and submitted to, and signed by, the State Archivist/Public Records Administrator. Certificates authorize the disposal of records listed in this and other applicable schedules. (R.I. Gen. Laws §§ 38-1-10, 38-3-6(j), and 42-8.1-10)

Retention: Permanent.

See Also: This record series is for information only, see GRS6.8B (Certificates of Records Destruction).

DEM12 Division of Coastal Resources

DEM12.1 Parking Placard Applications for Designated Lots

The Division of Coastal Resources issues seasonal parking placards to allow customers to park their vehicles in designated lots for an unlimited amount of time for entire seasons. Applications for these placards must be completed to help the office keep records on vehicle owners and their registered vehicles. The records in this series may include, but are not limited to, applications for parking placards and associated correspondence. The information on the application may include, but is not limited to, the number of the assigned placard, contact information, vehicle registration, the form of payment in which the customer used to purchase the placard, and rules the placard holder must follow when parking in designated lots.

Retention: Retain (3) three years.

DEM12.2 Fishermen Parking Sticker Applications

The Division of Coastal Resources issues fisherman parking stickers to allow Galilee and Newport fishermen to park in designated parking areas without being issued tickets. Applications must be completed to aid the office in keeping records on the fishermen and their vehicles. The records in this series may include, but are not limited to, the applications and any associated correspondence. The information on the application may include, but is not limited to, the number of the assigned sticker, the name of the fishing vessel that the fisherman works for, the name and signature of the captain of the vessel, personal contact information, and vehicle registration.

Retention: Retain (3) three years.

DEM12.3 Employee Parking Sticker Applications

The Division of Coastal Resources issues employee parking stickers to allow the employees of businesses that are on state, land-lease properties, to park on in the designated employee area without being issued tickets. Applications must be completed to help the office keep records on the employees and their vehicles. The records in this series may include, but are not limited to, the applications and any associated correspondence. The information on the applications may include, but is not limited to, the number of the assigned sticker, the name of the business that the employee works for, the name and signature of the business owner, personal contact information, and vehicle registration.

Retention: Retain (3) three years.

DEM12.4 Fishing Vessel Berthing Records

The Division of Coastal Resources maintains records of all fishing vessels (commercial, charter, and temporary) that have berthing contracts for any state ports. These records allow the office to obtain necessary information to contact the vessel owner in case of an emergency, to know where to find the vessel in the pier, and to ensure that payments for the berth are made in a timely manner. The records in this series may include, but are not limited to, berthing applications, berthing contracts, vessel registrations, parking sticker applications, breach of contract notices, billing statements, and berthing cancellations.

Retention: Retain ten (10) years after cancellation or revocation of berthing contract.

DEM12.5 Fluke (Summer Flounder) Aggregate Landing Permits

The Enforcement Unit of the Division of Coastal Resources receives issues aggregate landing permits for vessels that fish for fluke (also known as summer flounder). Vessels must submit applications for these permits. The records in this series may include, but are not limited to, applications, permits, and any associated documentation. Information in the applications may include, but is not limited to, vessel name, owner name, fishing license numbers, RI Summer Flounder Exemption Certificate Number, vessel federal permit number, names of owner(s), and names of operators(s). No person shall possess, land, sell, or offer for sale more than two hundred (200) pounds of summer flounder in any calendar day in the State of Rhode Island or the jurisdictional waters of the state without a Summer Flounder Exemption Certificate issued by Fish and Wildlife and a valid Rhode Island Commercial Fishing License per 250-RICR-90-00-3.10.2. The Division of Enforcement must verify

and approve/disapprove each permit application. If approved, a Fluke Aggregate Landing Permit is created, filed digitally, filed in the vessel folder and a copy is given to the fisherman along with a copy of their Certificate of Exemption.

Retention: Retain ten (10) years.

DEM12.6 Fluke Exemption Certifications

Fishermen must obtain special permits from the Division of Coastal Resources in order to land up to 1500 pounds of fluke (also known as summer flounder) per vessel per bi-weekly period during the winter (or summer) sub-period as specified in the Rhode Island Marine Fisheries regulations (RIMFR). The records in this series may include, but are not limited to, the applications and any associated documentation. The information on the applications may include, but is not limited to, the fisherman's name, date of birth, home address, contact information, any applicable fishing license numbers, and vessel information.

Retention: Retain five (5) years after discontinuation of program by regulation.

Note: As long as the program continues to exist, all of the certificates will be retained. So this is, for all practical purposes, a permanent retention unless the program ceases to exist.

DEM12.7 Certificates of Records Destruction [LEGACY – DUPLICATE]

Certification of Records Destruction forms signed by the authorized agency official and submitted to and signed by the State Archivist/Public Records Administrator. Certificates authorize the disposal of records listed in this and other applicable records retention schedules. (R.I. Gen Laws §§ 38-1-10, 38-3-6(j), and 52-8.1-10)

Retention: Permanent.

See Also: This record series is for information only, see GRS6.8B (Certificates of Records Destruction).

DEM13 Fish & Wildlife Division

DEM13.1 Use of Management Area Permits

The Division of Fish & Wildlife maintains several thousand acres of permanently protected open space in Rhode Island for utilization by outdoor recreation enthusiasts. The division issues permits for various uses of these state management areas including, but not limited to,

motorized vehicle access to state lands, special equipment authorizations, and dog training with bird release. The records in this series may include, but are not limited to, permits, applications for permits, correspondence, and any associated documentation.

Retention: Retain seven (7) years after expiration.

DEM13.2 Cooperative Agreements and Land Lease Documents

The Division of Fish & Wildlife leases DEM property for agricultural purposes to private individuals with the stipulation that the land will be available for hunting opportunities during the appropriate season. The records in this series may include, but are not limited to, leases, agreements, applications for leases, documents associated with RFP solicitations, compliance reports, correspondence, and any associated documentation. (250-RICR-60-00-9.9)

Retention: Retain ten (10) years after the expiration of the end of agreement, lease, or application.

DEM13.3 Trapping Permits

The Division of Fish & Wildlife issues trapping permits. Anyone wishing to trap certain protected fur-bearing species and set traps on state-owned land in Rhode Island must obtain such a permit before doing so. In addition to these permits, a trapping license is required. The records in this series may include, but are not limited to, trapping permits, applications for trapping permits, applications for specific additional licenses, permits, licenses, additional supporting documentation for applications, and notifications of acceptance or rejection of applications. (250-RICR-60-00-9 and R.I. Gen. Laws Chapter 20-2)

Retention: Retain seven (7) years after expiration.

DEM13.4 Hunting Licenses

The Division of Fish & Wildlife issues hunting licenses. These licenses are required for anyone who takes or attempts to take wildlife under the jurisdiction of DEM. The records in this series may include, but are not limited to, licenses, applications for licenses, and any items submitted in support of applications such as proof of having passed hunter education courses and proficiency tests. (250-RICR-60-00-9 and R.I. Gen. Laws Chapter 20-2)

Retention: Retain seven (7) years after expiration.

DEM13.5 Hunter Education Certificates of Competency and Archery Proficiency Records

As a prerequisite for obtaining a hunting license, applicants must have held a license in a prior year or present a hunter safety card issued by Rhode Island or an equivalent hunter safety program in a different state. The Division of Fish & Wildlife offers hunter education courses and archery safety courses for that purpose. The records in this series may include, but are not limited to, Hunter Safety Course and/or the Archery Safety Course certification cards, exams, proficiency assessments, and additional documentation pertaining to the application for certification. (R.I. Gen. Laws § 20-13-4)

DEM13.5A Hunter Education Certification of Competency Records

Retention: Retain one hundred (100) years after issuance.

DEM13.5B Archery Hunter Proficiency Records

Retention: Retain one hundred (100) years after issuance.

DEM13.6 Hunter Education Safety Instruction Operational Files

The Division of Fish & Wildlife offers courses to individuals who wish to become hunter safety instructors. The records in this series document the training and certification process. They may include, but are not limited to, student records (of the trainees as students), copies of instructor certifications, applications, and permits. (R.I. Gen. Laws § 20-13-2)

Retention: Retain seven (7) years after the permittee ceases to be active.

DEM13.7 Hunter Course Evaluation Records

The Division of Fish & Wildlife offers hunter safety courses and archery safety courses. Upon completion, students evaluate the courses. The records in this series may include, but are not limited to, student evaluations and the data compiled from them. (R.I. Gen. Laws § 20-13-2)

Retention: Retain ten (10) years.

DEM13.8 Cooperative Agreement Hunting Permit Records

The Division of Fish & Wildlife issues permits to hunt on privately owned land that is made available for that purpose through cooperative agreements with the owners. This series documents these agreements.

The records are kept in part in case any liability arises for injuries that may have occurred on the owner's property. The records may include, but are not limited to, signed agreements and associated communications.

Retention: Permanent.

DEM13.9 Annual Deer Harvest Records

The Division of Fish & Wildlife maintains records of the number of deer harvested every year in Rhode Island. Hunters are required by law to report each deer taken and provide information including, but not limited to, sex, weight, method of harvest, and location. This reporting is in conjunction with a grant project supported by State Wildlife Grants administered by the U.S. Fish and Wildlife Service, Wildlife and Sport Fish Restoration Program. The records in this series include the forms that hunters submit containing this information and compiled statistics. (R.I. Gen. Laws § 20-15-8)

Retention: Permanent.

DEM13.10 Wild Turkey Harvest Records

The Division of Fish & Wildlife maintains records of the number of wild turkeys harvested every year in Rhode Island. Hunters are required by law to report each wild turkey and provide information on sex, weight, method of harvest, and location. This reporting is in conjunction with a grant project supported by State Wildlife Grants administered by the U.S. Fish and Wildlife Service, Wildlife and Sport Fish Restoration Program. The records in this series include the forms that hunters submit containing this information and compiled statistics. (R.I. Gen. Laws § 20-1-20)

Retention: Permanent.

DEM13.11 Falconry License Records

The Division of Fish & Wildlife issues a falconry license to those qualifying to take, possess, and hunt with raptors within Rhode Island. The records in this series may include, but are not limited to, exams and inspections, hunting licenses and permits, applications, and any associated records of training and recommendation. (50 C.F.R. § 21.82, 250-RICR-60-00-7, R.I. Gen. Laws § 20-1-18, and 16 U.S.C. §§ 703 through 712)

Retention: Retain ten (10) years after expiration.

DEM13.12 Special Purpose Scientific Collector's Permits – Falconry

The Division of Fish & Wildlife issues permits allowing licensed falconers to take the wild raptors for the purpose of falconry in Rhode Island. The records in this series may include, but are not limited to, copies of permits issued to falconers at all levels, applications, exams, facilities inspections, field trial documents, and any associated records of training and recommendation. (50 C.F.R. 21.82, 250-RICR-60-00-7, R.I. Gen. Laws § 20-1-18, 16 U.S.C. §§ 703 through 712)

Retention: Retain ten (10) years after expiration.

DEM13.13 Special Purpose Scientific Collector's Permits – Wildlife Rehabilitation

The Division of Fish & Wildlife issues permits to individuals who wish to temporarily possess native wild animals for the purpose of caring for them. This includes animals that are injured, ill, or orphaned and the ultimate goal is to release them back into the wild upon recovery. Applicants for permits to take this responsibility must demonstrate adequate knowledge of species-specific animal health and husbandry as well as the capability to manage the species involved. Applicants must also have access to appropriate facilities for the care of the species in order to receive such permits. The records in the series may include, but are not limited to, applications, exams, copies of permits, and any documentation presented by applicants to demonstrate their qualifications for permits. (R.I. Gen. Laws § 20-1-18)

Retention: Retain seven (7) years after expiration.

DEM13.14 Native Wildlife Importation and Possession Permits

The Division of Fish & Wildlife issues permits to individuals who wish to import, receive, or possess native animals permanently or long term for the purpose of education, exhibition, breeding, or research. No one in Rhode Island can legally permanently retain native wildlife without such a permit. Information in the records in this series may include, but is not limited to, the identity of the species, arrangements for veterinary examination, certifications of health and condition of the animal, point of arrival, and descriptions and inspections of housing facilities. They also include applications and copies of permits issued for possession of the animals in question. (250-RICR-40-05-3)

Retention: Retain seven (7) years after expiration of permit.

DEM13.15 Scientific Collector's Permit Records

The Division of Fish & Wildlife issues permits to individuals for taking, handling, and/or possession, whether temporarily or permanently, of any native species under the jurisdiction of the Department of Environmental

Management for the purpose of scientific study or management of wildlife. These studies involve carrying out scientific experiments and cultivation projects. The records may include, but are not limited to, applications for the permits, copies of issued permits, and any documentation attesting to the qualifications of permittees. They also include information on the species involved and the experiments and projects undertaken. (R.I. Gen. Laws § 20-1-18 and 250-RICR-60-00-4)

Retention: Retain ten (10) years after expiration.

DEM13.16 Permit to Stock Fish Records

The Division of Fish & Wildlife issues permits to stock fish in private ponds. In order to receive such permits, applicants must verify that the fish will come from approved vendors that are certified disease-free locations. The records in the series may include, but are not limited to, applications, copies of the licenses issued, and documentation verifying that the fish are from suitable locations. (R.I. Gen. Laws § 20-11-6)

Retention: Permanent.

DEM13.17 Group Home Fishing Permits

The Division of Fish & Wildlife issues permits to clients of group homes to fish in Rhode Island waters. The records in this series may include, but are not limited to, applications for the permits, copies of the permits issued, and any supporting documentation required for the permits. (R.I. Gen. Laws § 20-11-1)

Retention: Retain three (3) years after expiration.

DEM13.18 Aquatic Weed Control Records

The Division of Fish & Wildlife makes efforts to control the introduction or spread of potentially environmentally harmful non-indigenous plant species into native aquatic environments. The records in this series may include, but are not limited to, documentation pertaining to the location of the treatment, justifications for need of the treatment, and methods of treatment.

Retention: Permanent.

DEM13.19 Shooting Range Permits

The Division of Fish & Wildlife issues permits to allow use of target ranges that the Department of Environmental Management oversees. Permit applications require information including name, telephone number, mailing address, date of birth, vehicle registration plate number,

government-issued photo identification, and evidence of qualification as defined in the regulation listed below. Records in this series may include, but are not limited to, applications, copies of licenses issued, and required supporting documentation for applications. (250-RICR-60-00-12)

Retention: Retain three (3) years after expiration.

DEM13.20 Handgun Safety Certification Test Records

The Division of Fish & Wildlife administers the state's handgun safety exam and issues Pistol/Revolver certification documents which attest to successful completion of that exam. The records in this series include any and all documentation of test results of those who complete the test, whether they are successful or not. (R.I. Gen. Laws § 11-47-35)

Retention: Retain thirty (30) days.

DEM14 Office of Customer and Technical Assistance

DEM14.1 Environmental Results Program (ERP) Records

The Office of Customer and Technical Assistance of DEM oversees the Environmental Results Program (ERP). This initiative has been viewed as the first ever regulatory and assistance partnership that results in an environmental protection program with a measurable impact. It leverages scarce resources, reaches a substantially larger segment of the regulated sector, and requires less effort by the regulated sector than any traditional permitting and enforcement program has before. The ERP is a mandatory biannual facility compliance inspection program for underground storage facilities used for petroleum products and hazardous materials. Owners are required to ensure that their facilities comply with regulations by conducting their own inspections and certifying their compliance by completing and submitting a checklist and forms booklet. The records in this series may include, but are not limited to, ERP checklists, correspondence, and certifications for specific ERP programs (including, but not limited to, Auto Body Facilities, Auto Salvage Facilities, and Underground Storage Tank Facilities). (DEM-OWM-UST08-07)

Retention: Retain three (3) years.

DEM14.2 Green Certification Programs Records

Certification Programs. These are voluntary programs that are developed to assist various categories of businesses in becoming more sustainable and to continuously improve their performance in minimizing pollution. Among the goals of these programs are to encourage

reduction of toxic substances and to reduce the generation of hazardous waste when it is technically and economically feasible. The programs also strive to reduce the releasing into the environment of chemical contaminants which have adverse effects on health or the environment. In addition, they work to limit the use of single-use plastics, increase rates of commercial recycling, reduce sources of water pollution, decrease water usage, and to educate customers and business owners about sustainability. The records in this series may include, but are not limited to, Green Events' checklists, certifications, and correspondence.

Retention: Retain three (3) years.

DEM14.3 Interstate Mercury Clearinghouse Records

In accordance with the Mercury Education and Reduction Act (R.I. Gen. Laws § 23-24.9-9), DEM strives to improve public and ecosystem health by achieving significant reductions in environmental mercury. The Office of Customer and Technical Assistance oversees this by encouraging the establishment of effective waste reduction, recycling, management and education programs. Interstate mercury education and reduction clearinghouse" or "IMERC" refers to the program established under the auspices of the Northeast Waste Management Officials' Association (NEWMOA) to facilitate tasks and serve as a single point of contact for the manufacturers, distributors, or importers of mercury-added products to facilitate compliance with state requirements for these products throughout the northeast. The records in this series may include, but are not limited to, mercury-added product notifications, company phase out exemptions, company alternative labeling plans, and thermostat recycling corporation reports. (R.I. Gen. Laws Chapter 23-24.9)

DEM14.3A Mercury Added Product Notifications

Retention: Retain three (3) years or until of no further administrative value, whichever is later.

DEM14.3B Company Phase Out Exemptions

Retention: Retain five (5) years.

DEM14.3C Company Alternative Labeling Plans

Retention: Retain five (5) years.

DEM14.3D Thermostat Recycling Corporation Reports

Retention: Retain three (3) years or until of no further administrative value, whichever is later.

DEM14.4 Toxics in Packaging Clearinghouse Records

DEM is authorized to participate in the establishment and implementation of a regional or national, multi-state clearinghouse to assist in carrying out the requirements of the Toxic Packaging Reduction Act and to help coordinate reviews of the regulatory applicability, certificates of compliance, education and outreach activities, and any other related functions. The Office of Customer and Technical Assistance oversees this. The clearinghouse may also maintain reports on the effectiveness of the program, certificates of analysis and compliance for product packaging. The intent of the law is to achieve this reduction in toxicity without impeding or discouraging the expanded use of post-consumer materials in the production of packaging and its components. The records in this series may include, but are not limited to, packaging screening projects and associated correspondence. (R.I. Gen. Laws Chapter 23-18.13)

Retention: Retain three (3) years or until of no further administrative value, whichever is later.

DEM14.5 American Recovery and Reinvestment Act Permitting Project (ARRA) Records

The Office of Customer & Technical Assistance conducted wetland permit application reviews under the American Recovery and Reinvestment Act (Pub. L. No. 111-5). The wetland permits in this series included wetland restoration projects and permit ready sites. The records in this series may include, but are not limited to, Wetlands Permit applications, biologist reports/evaluations, correspondence, deeds, engineer reports/evaluations, maps, site plans (with supportive documentation), memoranda, permit renewals, permit modifications, stormwater review sheets, permit water quality reports/evaluations, final administrative decision letters, and warning letters. (H.R.1 - American Recovery and Reinvestment Act Subtitle C: Grants and Loans Funding - (Pub. L. No. 111-5 § 13301))

Retention: Permanent.

DEM14.6 Pre-Application Meeting Records

The Office of Customer & Technical Assistance assists the general public, state and local governments, and the business community concerning compliance with the rules, regulations, and environmental standards that must be observed to be considered for various types of permits. Pre-application meetings are an important component of the permitting process. The Department of Environmental Management recommends these meetings for large projects that may involve more

than one permit, for applicants that are not familiar with the Department's permitting process, or for any applicants that may have questions about permitting their project. Records in this series may include, but are not limited to, notes from preapplication meetings.

Retention: Permanent.

DEM14.7 Department of Health Coordination Documents

The Office of Customer & Technical Assistance works in collaboration with the Department of Health (DOH) to review applications for Industrial Hemp Agricultural Pilot Program Licenses. The Office provides DOH with memoranda regarding the environmental impact of proposed facilities in order to determine if regulatory programs were applicable. The records in this series may include, but are not limited to, memoranda concerning potential environmental impact and associated correspondence. (230-RICR-80-10-1)

DEM14.7A Records of Rejected Applicants

Retention: Retain ten (10) years after rejection.

DEM14.7B Records of Licensed Applicants

Retention: Retain ten (10) years after revocation or surrender of license.

DEM14.8 Access to Public Records Act: Certificate of Compliance

The Office of Customer & Technical Assistance manages DEM's public requests for records. As part of this, annual Department-wide training is required to keep up with any changes to records regulations and requirements. Every individual who takes the training is required to fill out a Certificate of Compliance stating they have completed the annual training. These certificates are housed in DEM's Legal Office. (R.I. Gen. Laws § 38-2-3.16)

Retention: Retain three (3) years.

DEM15 Division of Forest Environment

Even when eligible for destruction, files that may become, or which are already, involved in legal proceedings may not be destroyed until the legal matters are resolved. Forest Environment staff should consult with the DEM's legal counsel to determine if any records eligible for destruction may be involved in current, pending or anticipated litigation, any government investigation or regulatory proceeding, or request under the Access to Public Records Act (R.I. Gen. Laws Chapter 38-2). Retain

records relating to litigation according to GRS2.1 (Case Files). Retain Access to Public Records Documents according to GRS6.10 (Access to Public Records Documents).

DEM15.1 Arborist License Records

Individuals, whether self-employed or working for a corporation, firm, or municipality, and who spend any portion of their time working alone in arboriculture at any job site on property other than their own, must possess a valid arborist license per R.I. Gen. Laws § 2-19-2. The Division of Forest Environment issues these licenses and the records in this series document that process. The division receives applications, issues arborist licenses, and coordinates the annual renewal process. The records in this series may include, but are not limited to, completed application forms, renewal notices, and related correspondence. (R.I. Gen. Laws § 2-19-2)

DEM15.1A Arborist License Applications and Exams

Retention: Retain three (3) years following expiration and/or termination of license.

DEM15.1B Arborist License Renewal Notice

Retention: Retain three (3) years.

DEM15.1C Correspondence

Retention: Retain three (3) years following expiration and/or termination of license.

DEM15.2 Enforcement Activity Log

DEM Management Areas include public lands that are owned by the State of Rhode Island under the jurisdiction of DEM Division of Fish and Wildlife or Forest Environment, or in conjunction with each other, or subject to the enforcement authority of the DEM per R.I. Gen. Laws § 2-10-13. These management areas are made available, under certain conditions of use, to the public for various recreation purposes. Records include written reports of enforcement actions and enforcement problems within forest management Areas. The records in this series may include, but are not limited to, written warnings, and copies of court summonses. (R.I. Gen. Laws § 2-10-13)

Retention: Retain records for (10) after case opens, or seven (7) years after enforcement case is resolved whichever is later.

DEM15.3 Forest Classification Files

The forestland classification program aims to prevent forced conversion of state's forested lands to more intensive uses as the result of economic pressures on owners caused by property taxation incompatible with preservation of property as farm, forest, or open space land per R.I. Gen. Laws § 44-27-1(2). Property owners may apply to DEM for forestland designation in order to receive a reduction in the property tax assessment rate. "Forestland" designation must meet certain criteria established by the DEM. Criteria may include, but is not limited to, land extent, growth density, and either the quality of self-perpetuation or dependence on its development by planting and replanting of trees in stands of closely growing timber, actively managed under a forest management plan approved by the Director of Environmental Management (R.I. Gen. Laws § 44-27-4 and 250-RICR-40-20-1). Applications require commitment to stewardship of forested portion of property. The records in this series document the application, certification and re-certification processes. The records may include, but are not limited to, application forms, original plans, decennial updated and revised plans, DEM property inspection and re-inspection documentation, copies of the municipal tax assessor plat maps, copies of certificates issued by DEM, revocations of forestland designation, and associated correspondence. Application forms may include, but are not limited to, applicant information and forest stewardship plans. Plans may include, but are not limited to, property overviews, data concerning forest type, information on acreage involved, acreage, level of tree coverage, average tree diameter, trees per acre, volume of forest products per acre, and information on soil type. (R.I. Gen. Laws § 44-27-1(2), 44-27-4, and 250-RICR-40-20-1)

DEM15.3A Denied Applications and Associated Records

Retention: Retain ten (10) years after denial.

DEM15.3B Accepted Applications and Associated Records

Retention: Retain ten (10) years after declassification or revocation.

DEM15.4 Forestry Pest Surveys

The Division of Forest Environment undertakes annual and as needed surveys of various pests that may pose a threat to Rhode Island forests. Records include, but are not limited to, annual statewide samplings for the egg masses of these pests and annual data sheets for the egg mass surveys. Results of the surveys are plotted on a geographic information system (GIS) to determine population distributions of these pests. At this

point in time (2019), the most active of these surveys is the annual Gypsy Moth Egg Mass Survey. Data may be shared under cooperative agreement with the U.S. Forest Service.

Retention: Permanent.

DEM15.5 Intent to Cut Notifications

Individuals, firms, or corporations intending to cut or saw and harvest wood products on non-state property must, five (5) days prior to the cutting or sawing, notify the Department of Environmental Services and apply for a registration certificate per R.I. Gen. Laws § 2-15-8 (if more than five acres or twenty-five cords of wood are to be cut). Applications are prepared by the department, of the location of the area and/or property. The records in the series may include, but are not limited to, applications and associated documentation. (R.I. Gen. Laws § 2-15-8)

DEM15.5A Denied Applications and Associated Records

Retention: Retain three (3) years after denial.

DEM15.5B Accepted Applications and Associated Records

Retention: Retain ten (10) years after completion of logging.

DEM15.6 Land Record Series

The Division of Forest Environment has the responsibility for documenting forestland owned and/or managed by DEM. The division maintains inventories of this land, and records location, features, terms of ownership and/or management and use of this land. The records may include, but are not limited to, maps, deeds, surveys and correspondence related to the land in question.

Retention: Permanent.

DEM15.7 Special Use Permits

Groups that exceed a certain number must apply to the Division of Forest Environment for permits to conduct activities in State Management Forest Areas per R.I. Gen. Laws § 42-17.1-7. The division issues these permits when the groups meet the requirements. The records in this series may include, but are not limited to, special use permit application forms, copies of slips granting or denying applications, and any documentation supporting or opposing the applications. (R.I. Gen. Laws § 42-17.1-7)

Retention: Retain three (3) years.

DEM15.8 Timber Harvesting Records

The Division of Forest Environment periodically identifies stumpage for harvesting on Division-owned and managed property. The terms of the specific timber harvest are based on the forest management practice being implemented in the area at the time. This practice facilitates identifying the stumps. The division opens the job of harvesting these stumps out to bid by private contractors. The records in this series may include, but are not limited to, contract specifications, posts of contractor bonds, area maps, descriptions, harvesting data, and records of post-harvesting inspections of sites for conformity with requirements.

Retention: Permanent.

DEM15.9 Wild Fire Records

The Division of Forest Environment provides extended support to local firefighters in the form of firefighting equipment, financial compensation, and training of suppression crews per R.I. Gen. Laws § 2-11-2. Wildland fire suppression in Rhode Island is the responsibility of local fire companies. "Forestland" or "Wildland" means timbered land, potential timber producing land, cut over or burned timberland or grasslands, but does not include land devoted to agriculture per R.I. Gen. Laws § 2-11-1. The records in this series may include, but are not limited to, daily weather records, final incident reports of wildland fires, reports of fires by local fire chiefs, preliminary field data sheets for wildland fire incidents, and wildland fire enforcement action detail documents such as written warnings. The records also include itemized expenditure documentation related to requests by fire chiefs or fire districts for state compensation for firefighting labor and material. (R.I. Gen. Laws §§ 2-11-1 and 2)

Retention: Permanent.

Note: Incidents that involve criminal infractions or hazardous wastes may be referred to DEM1 (Division of Law Enforcement) and DEM5 (Office of Compliance and Inspection (OC&I)).

DEM15.10 Wood Operator Registrations

Individuals who harvest forest products commercially on private or publicly owned lands in the State of Rhode Island must register with the Division of Forest Environment per R.I. Gen. Laws § 2-15-1. These registrations must be renewed annually. This series documents that process. The records in this series may include, but are not limited to,

applications, registrations, and any supporting documentation. (R.I. Gen. Laws § 2-15-1)

Retention: Retain three (3) years.

DEM15.11 Certificates of Record Destruction [LEGACY – DUPLICATE]

Certification of Record Destruction forms signed by the authorized agent and submitted to and signed by the State Archivist/Public Records Administrator. Certificates authorize the disposal of records listed in this and other applicable records retention schedules. (R.I. Gen. Laws §§ 38-1-10, 38-3-6 (j) and 42-8.1-10)

Retention: Permanent.

See Also: This record series is for information only, see GRS6.8B (Certificates of Records Destruction).

DEM16 Marine Fisheries

DEM16.1 Survey Databases

The Marine Fisheries Division of the Department of Environmental Management is responsible for managing the marine resources of the state of Rhode Island. Among the responsibilities that come with this is the compilation of data on the various species of marine life in Rhode Island. These data may be used in state, regional, and/or coastwide stock assessments and management programs. They are also used to fulfill data requests to the public and other stakeholders. Specific Atlantic States Marine Fisheries Commission (ASMFC) Fishery Management Plan (FMP) requirements for data collection include, but are not limited to, the following: ASMFC Addendum I to Amendment 1 to the Bluefish Fishery Management Plan; ASMFC Amendment 3 to the Interstate Fishery Management Plan for Atlantic Menhaden; ASMFC Addendum III to the Fishery Management Plan for Tautog; and ASMFC Addendum I to Amendment 4 to the Interstate Fishery Management Plan for Weakfish. The records in the series may include, but are not limited to, data sheets and databases with statistics on marine life in Rhode Island. The surveys compiled may include, but are not limited to, the following: Narragansett Bay Juvenile Finfish Survey; Coastal Trawl Survey; Coastal Fish Pot Survey; Coastal Pond Juvenile Finfish Survey; Coastal Ponds Fyke Net Survey; Age and Growth Study; Young of the Year Lobster Settlement Survey; Lobster Ventless Pot Survey; Shellfish Dredge Survey; Horseshoe Crab Spawning Survey; Habitat Program Coastal Pond Survey; and Coastal Pond Shellfish Survey.

Retention: Permanent.

DEM16.2 Permitting Program Records

The Marine Fisheries Division of the Department of Environmental Management is responsible for managing the marine resources of the state of Rhode Island. The Division issues permits for various programs, maintains records of permits and permit holders, and ensures that the permit holders adhere to the requirements and conditions. The records may include, but are not limited to, applications, permits, and any associated correspondence. The programs that permits are issued for include, but are not limited to, the following: Fyke net; Horseshoe Crab; Scientific Collectors; Atlantic Herring; Mussel Dredge; Black Sea Bass and Summer Flounder Aggregate; and Research Set Aside.

Retention: Retain five (5) years.

DEM16.3 Tagging Program Records

The Marine Fisheries Division of the Department of Environmental Management is responsible for managing the health and harvest of marine species in the state of Rhode Island. Management for many programs includes the issuance and use of fish and gear tags used to monitor use of gear and/or harvest of fish. The records in this series may include, but are not limited to, the following tag order forms and databases: Lobster trap tag order forms submitted by fishermen to the Division; Unused tags held by the Division that were issued by authorized vendor; Striped Bass dealer tag order forms; Striped Bass dealer report forms; Striped Bass tag database (MS Access); Unused striped bass tags held by the division that were issued by the vendor; Gill net tag order forms submitted by fishermen to the Division; Gill net tag database (MS Access); Whelk pot tag order forms submitted by fishermen to the Division; Whelk pot tag database (MS Access); Tautog tag order forms submitted by fishermen to the Division; Tautog tag report forms submitted by fishermen to the Division; and Tautog tag database (MS Access).

Retention: Retain five (5) years.

DEM16.4 Fisheries Relief Program Records

The Marine Fisheries Division of the Department of Environmental Management participates in several fisheries relief programs that are funded by various sources. The funds may be from Federal or state sources. Federal sources include, but are not limited to, funds provided by the CARES Act (Pub. L. No. 116-136) Fishery Disaster Assistance Program and the Consolidation Appropriations Act (Pub. L. No. 116-260) Fisheries Assistance Program. Other sources may be created in response to specific emergency situations. The USDA Seafood

Processors Pandemic Response and Safety Block Grant Program of 2021 is an example of this. The beneficiaries of these funds may include, but are not limited to, aquaculture, commercial fishing, party and charter, and seafood processors. The items and services the funds may be used for may include, but are not limited to, rope buyback, windfarm mitigation, weak line inserts, and replacement vertical line. (2 C.F.R. § 200.334)

Retention: Permanent.

DEM16.5 Geospatial Data and Mapped Products

The Marine Fisheries Division of the Department of Environmental Management provides maps and charts, along with geospatial data, to the public. The maps are generated from GIS (Geographic Information System) mapping. GIS is a system that creates, manages, analyzes, and maps all types of data and connects it to a map that integrates location data (where things are) with descriptive information (what things are like there). This provides a foundation for mapping and analysis that is used by science and industry to help understand patterns, relationships, and geographic context. The records in this series may include, but are not limited to, generated maps from GIS, generated charts from GIS, and "R" Geospatial data files generated by staff.

Retention: Permanent.

DEM16.6 Boating and Licensing – Catch and Efforts Compliance Data

The Marine Fisheries Division of the Department of Environmental Management receives logbooks and dockside sales records from those who hold boating licenses in the state of Rhode Island. This data is provided to the Office of Boating and Licensing to track reporting requirements for annual license renewals. The records on this series may include, but are not limited to, data from the logbooks and dockside sales records from license holders.

Retention: Retain three (3) years.

DEM16.7 Project Permitting Records

The Marine Fisheries Division of the Department of Environmental Management reviews permit applications and associated items that are required of applicants by various regulations. The associated regulations vary by the type of permit involved. The Division issues permits for various projects, maintains records of permits and permit holders, and ensures that the permit holders adhere to the requirements and conditions. The permits subject to this include, but are not limited to, dredge permits, water quality certifications, offshore renewable energy

permits, and aquaculture permits. The records may include, but are not limited to, applications for permits and any associated materials required by the pertinent regulations.

Retention: Permanent.

DEM16.8 Commercial Fishery Quota Monitoring Records

The Marine Fisheries Division of the Department of Environmental Management monitors quotas that are established for commercial fisheries. These fisheries must provide the data to the Division to demonstrate that they are not exceeding these quotas. The records in this series are generated through the tracking of these quotas and may include, but are not limited to, all files and database related to quota monitoring and projections.

Retention: Permanent.

DEM16.9 Floating Fish Trap Program Records

The Marine Fisheries Division of the Department of Environmental Management oversees the floating fish trap program and the licensing of such traps to ensure that pertinent regulations are complied with. Licensees must comply with the regulations to obtain licenses and to renew them. The records in this series may include, but are not limited to, applications, any associated forms, letters from license holders, and signed permits. (R.I. Gen. Laws Chapter 20-5)

Retention: Retain three (3) years.

DEM16.10 Summer Flounder Exemption Certificate Program Records

The Marine Fisheries Division of the Department of Environmental Management manages the Summer Flounder Exemption Certificate Program to restrict the commercial possession limit of summer flounder of licensed persons that do not hold the certificate. Certificates are issued pursuant to 250-RICR-90-00-14 (Summer Flounder Exemption Certificate Program). Summer flounder are also referred to as fluke. The records in this series may include, but are not limited to, summer flounder exemption certificates and any related documentation. (250-RICR-90-00-14)

Retention: Permanent.

DEM16.11 Survey Data Sheets

The Marine Fisheries Division of the Department of Environmental Management conducts marine monitoring and assessment surveys to

determine the quantity of various types of fish and other aquatic life in the marine waters of the state. Data sheets are completed by Division staff in the field. The data are then transferred to databases in the office. The aquatic life surveyed may include, but is not limited to, Narragansett Bay Juvenile Finfish Seine, Coastal Trawl, Coastal Pond Seine, Lobster Young of Year, Settlement, Lobster Ventless Trap, Fish Pot, Coastal Pond Shellfish, Shellfish Dredge, Horseshoe Crab Spawning, age and growth, and Jonah Carb. The records may include, but are not limited to, survey sheets and any associated documentation.

Retention: Permanent.

DEM16.12 Data Reports

The Marine Fisheries Division of the Department of Environmental Management compiles data based on commercial fishing landings pursuant to 250-RICR-90-00-2 (Commercial Marine Fishing Licenses, Landing Permits, and Party and Charter Licenses). The items tracked in these data reports, submitted by licensed fishermen and/or licensed dealers, may include, but are not limited to, Vessel Trip Reports (VTR), harvester logbooks, dockside sales, VTR declaration forms, dealer reports, scientific collector data reports, and Horseshoe Crab (HSC) harvester reports. The records may include, but are not limited to, collected data and any associated documentation. (250-RICR-90-00-2)

Retention: Permanent.

DEM16.13 Research Reports and Analyses

The Marine Fisheries Division of the Department of Environmental Management analyzes data it collects from assessments and monitoring and generates research reports based on it. The reports are then used in the development of state and Federal Fisheries Management Plans (FMP). The records in this series may include, but are not limited to, reports and analyses of survey data.

Retention: Permanent.

DEM16.14 Assessment/Fisheries Management Plan (FMP) Reports and Analyses

Certain staff members of the Marine Fisheries Division of the Department of Environmental Management sit on and participate in several state, regional, and coastwide management organizations that have various committees. The organizations involved include, but are not limited to, the Atlantic States Marine Fisheries Commission (ASMFC), the Atlantic Coastal Cooperative Statistics Program (ACCSP), the New England Fisheries Management Council (NEFMC), and the

Mid-Atlantic Fisheries Management Council (MAFMC). The committees involved may include, but are not limited to, the Plan Development Team (PDT), the Technical Committee (TC), the Plan Review Team (PRT), the Aging Sub-Committee, the Northeast Monitoring and Assessment Program (NEAMAP), the Biological Review Panel (BRP), the Bycatch Prioritization Committee (BPC), the Recreational Technical Committee (Rec Tech), the Commercial Technical Committee (Comm Tech), the Information Systems Committee (IS), the Standard Codes Committee (SC), the Operations Committee (OPS), the Monitoring Committee (MC), the Stock Assessment Subcommittee (SAS), and the Scientific and Statistical Committee (SSC). The records may include, but are not limited to, any reports of these committees and organizations that the division creates and/or obtains as part of its responsibilities as a member of the organizations.

Retention: Retain one (1) copy permanently.

DEM16.15 Advisory Panel Membership Materials

The Marine Fisheries Division of the Department of Environmental Management provides administrative functions to the Rhode Island Marine Fisheries Council, including advisory panels. The Council, in turn, serves in an advisory capacity to the Director of the RI Department of Environmental Management and/or other state agencies on the planning, management, and regulation of the State's marine fisheries. The Council is composed of the Director of the RI Department of Environmental Management or the Director's designee (who serves as chair) and eight (8) private citizen members. Members are appointed by the Governor with the advice and consent of the RI Senate. The Council has the authority to establish advisory committees for the purposes of providing advice to the Council on a given marine fisheries matter or regulation. The Division provides administrative support to the Council in maintaining advisory panel membership and is responsible for maintaining a membership application form. The records in this series may include, but are not limited to, member application forms, resumes, acceptance letters, and notes on discussions about recommendations.

Retention: Retain five (5) years.