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TITLE 100 – DEPARTMENT OF STATE

CHAPTER 50 – PUBLIC RECORDS ADMINISTRATION

SUBCHAPTER 20 – STATE AGENCY RECORDS RETENTION SCHEDULES

PART 32 – RESOURCE RECOVERY CORPORATION RECORDS (RRC)

32.1 Purpose, Authority, Severability, and Destruction

32.1.1 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.

32.1.2 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.

32.1.3 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.

32.1.4 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)

RRC **Resource Recovery Corporation**

The Resource Recovery Corporation is not audited by the Auditor General's Office. Rather, the Corporation hires an independent auditor who is approved by both the Auditor General and the Bureau of Audits. They are audited every year.

RRC1 **Landfill Operating Records**

Records relating to the operation of the state's central landfill. Records may include but are not limited to those required by the EPA pursuant to 40 C.F.R. §§ 258.20 and 258.29, the landfill operating license and agreements between the Corporation and the Environmental Protection Agency (EPA) and/or the Department of Environmental Management (DEM).

RRC1A **Inspection Records**

Records relating to inspections of the State Central Landfill including gas monitoring results.

Retention: Retain minimum of three (3) years or the greatest number of years specified in 40 C.F.R. §§ 258.20 and 258.29, the landfill operating license and agreements between the Corporation and the EPA and/or the DEM.

RRC1B **Annual Liquid Waste or Sludge Analysis**

Analysis conducted six times a year, of all liquid or sludge matter deposited in the central landfill in accordance with R.I. Gen. Laws § 23-19-30.

Retention: Retain five (5) years as specified in 40 C.F.R. § 501.15 and Part 503.

RRC1C **Landfill Operating License**

Operating License granted by DEM. Licenses are granted in phases and renewed as landfill completes one phase and expands previous boundaries.

Retention: Permanent.

RRC1D **Consent Agreements**

Agreements between the Corporation and other entities including but not limited to the EPA, DEM, and town of Johnston. Subject of agreements may boundary changes or changes to natural resources within landfill boundaries.

Retention: Retain five (5) years from expiration of agreement.

Note: A permanent copy is included but is not limited to Superfund cleanup, filed with the courts.

RRC1E Landfill Blueprints

Blueprints of design of the central landfill including but not limited to area covered and gas collection systems. As landfill expands blueprints redrawn.

Retention: Permanent.

See Also: RRC21 (Building Blueprints and Facility Design Files).

RRC1F Closure and Post Closure Plans

Plans for the closure and capping of a landfill and closure.

Retention: Permanent.

RRC2 Superfund Liability Records

Records relating to the Central Landfill's classification as a Superfund site (major environmental hazard). Records document scope of Superfund liability including but not limited to: use of Corporation's facilities for disposal of solid waste by third parties during a period that is the subject of action by EPA (i.e. Phase I); consent agreements, court orders and other legal documents that are accepted by or issued to the Corporation; and accounting and procurement records that document the Corporation's action to comply with the requirements of regulatory and law enforcement agencies.

Retention: Permanent.

RRC3 Overhead Bridge Crane and Vehicle Lift Certifications

Annual safety certification of bridge crane and vehicle lift, used by the Corporation for maintenance purposes.

Retention: Retain until receipt of new certification.

RRC4 Truck Slips

Receipts relating to the use of the Corporation's facilities by third parties for disposal or removal of solid waste or recyclable materials. May include correspondence.

Retention: Retain five (5) years after completion of the corresponding fiscal year's annual financial statement audit.

Note: Retain any documents involved in dispute until final resolution plus two years, but not less than retention period specified above.

RRC5 Technical Assistance Grants

Technical assistance grants awarded by EPA under Superfund Program.

Retention: No retention as record series exists only in law not in practice.

Note: These records as of 1999 are not currently being produced but are records the Resource Recovery Corporation anticipates creating in the future. Retention periods and more detailed descriptions will be added in a future update to this schedule.

RRC6 CERCLA Funded Cooperative Agreements and Superfund State Contracts

Retention: No retention as record series exists only in law not in practice.

Note: These records as of 1999 are not currently being produced but are records the Resource Recovery Corporation anticipates creating in the future. Retention periods and more detailed descriptions will be added in a future update to this schedule.

RRC7 Emission Monitoring Records

Records required by the EPA of owners or operators of each source subject to continuous emission monitoring.

Retention: No retention as record series exists only in law not in practice.

Note: These records as of 1999 are not currently being produced but are records the Resource Recovery Corporation anticipates creating in the future. Retention periods and more detailed descriptions will be added in a future update to this schedule.

RRC8 RCRA Permit Records

Records required by RCRA permit holders, used to complete permit application.

Retention: No retention as record series exists only in law not in practice.

Note: These records as of 1999 are not currently being produced but are records the Resource Recovery Corporation anticipates creating in the future. Retention periods and more detailed descriptions will be added in a future update to this schedule.

RRC9 Purchase Orders and Purchase Requisitions

Official copy of purchase requisitions and orders used to request authorization to purchase supplies or equipment and to document purchase transactions.

Retention: Retain audit plus six (6) years.

RRC10 Invoices and Vouchers

Invoices submitted by vendors, consultants or others for products or services rendered and vouchers authorizing payment for such services or products. May also include documentation, correspondence and approvals used in processing for payment. Includes but is not limited to travel expense vouchers and petty cash vouchers.

Retention: Retain for audit plus ten (10) years.

RRC11 Cash Receipts Case Files

Documents relating to moneys received by the Corporation. File may include but is not limited to cash receipts, receipts journals, cash register tapes, and copies of receipts provided to the payer.

Retention: Cut off at the end of the fiscal year and retain for audit plus three (3) years.

RRC12 Accounts Receivable Case Files

Documents relating to moneys owed the Corporation. File may include but is not limited to invoices submitted to customers and related correspondence with customers and collection agencies.

Retention: Cut off at the end of the fiscal year and retain for audit plus three (3) years.

RRC13 Bad Check Case Files

Documents relating to checks received by the Corporation which have been returned for insufficient funds. File may include but is not limited to checks, notices of return of checks, debit memos, and correspondence with the financial institution, collection agency and payer.

Retention: Cut off at the end of the fiscal year and retain for audit plus three (3) years.

RRC14 Canceled Checks

Canceled checks used to pay for services.

Retention: Cut off at the end of the fiscal year and retain for audit plus three (3) years.

RRC15 Bank Statements

Monthly statements detailing Corporation's bank accounts, including but not limited to information on deposits, earnings, transfers, and service charges.

Retention: Cut off at the end of the fiscal year and retain for audit plus five (5) years.

RRC16 Fixed Asset File

Files relating to assets, including but not limited to office equipment or furniture, real estate or vehicles owned or leased by the Corporation. File may include but is not limited to title to the asset and inventory records of any change made to the asset.

Retention: Cut off at the end of the fiscal year in which asset is disposed of and retain for audit plus four (4) years.

RRC17 Bid Files

Records of contract bids. File may include but is not limited to the RFQ/RFP, advertisements and notices soliciting proposals and bids, minutes of bidders' conferences, proposals/bids received, evaluation worksheets, description of evaluation criteria and methodology, correspondence with bidders and appropriate state agencies, and notices of award to successful bidders. (R.I. Gen. Laws § 37-2-49)

Note: Retain any documents involved in dispute two years from final resolution of dispute, but not less than retention period specified above. Refer also to RRC25 (Legal Files), which would apply whenever a record is used by the Corporation in defense of a legal action.

RRC17A Successful Bids or Negotiated Awards
[SUPERSEDED]

See Also: For associated retention, see RRC18 (Contract Files).

RRC17B Unsuccessful Bids, Unless Challenging a Successful Bid

Retention: Retain six (6) months from the date of the award.

RRC17C Unsuccessful Bids for Which the Successful Bid Is Challenged [SUPERSEDED]

See Also: For associated retention, see RRC18 (Contract Files).

RRC18 Contract Files

Records of contract awards with vendors for the purchase of goods or services; commercial or municipal customers of the Corporation for their use of the Corporation's facilities; municipalities that receive recycling grants; tenants for occupancy of the Corporation's real property, or any other party for any other purpose. File incorporates records included in RRC17 (Bid Files) and may also include performance bonds and legal files created in relation to contract. (R.I. Gen. Laws § 37-2-49)

Retention: Retain for the duration of the contract, plus three (3) years, but not less than six (6) years.

Note: Retain any documents involved in dispute two years from final resolution of dispute, but not less than retention period specified above.

See Also: For whenever a record is used by the Corporation in defense of a legal action, see RRC25 (Legal Files).

RRC19 Audit Work Papers

Documents, workpapers and schedules prepared for or by the independent auditors for use in or preparation of an audit.

Retention: Retain five (5) years from receipt of final audit report.

RRC20 Audit Report

Final audit report with recommendations issued by independent auditors at the conclusion of an audit.

Retention: Permanent.

RRC21 Building Blueprints and Facility Design Files

Records may include, but are not limited to, blueprints and any engineering designs and diagrams that were used for the final design and construction of any building or portion of the infrastructure.

Retention: Permanent.

RRC22 Property and Casualty Insurance Policy Case File

File may include but are not limited to all correspondence with the broker of records and documents generated in placing the policies, all policies and renewal notices, all accident reports and notices provided to the broker or carrier for any loss or reportable event, all correspondence with the broker of record, the carrier and contractors to the carrier for the administration of the policies, establishment of loss control measures, settlement of claims, etc.

Retention: Permanent.

RRC23 Minutes

Minutes of the Board of Commissioners, including meetings of any subcommittee of the board.

Retention: Permanent.

RRC24 Annual Report

Written report issued by the Corporation to the General Assembly annually. (R.I. Gen. Laws § 23-19-4(f))

Retention: Permanent.

RRC25 Legal Files

Records acquired and produced by the Corporation in defense of a legal action against the Corporation.

Retention: Retain ten (10) years after final resolution.

See Also: For legal records relating to consent orders and other agreements, see RRC18 (Contract Files).

RRC26 Register of Inactive Records

Register of records that have been classified as inactive and are being stored until required retention has expired.

Retention: Retain until records have been destroyed.

RRC27 Register of Records Released by the General Counsel

Register of records released to third parties with the permission of the General Counsel.

Retention: Retain until records have been returned in entirety.

RRC28 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, and 42-8.1-10)

Retention: Permanent.

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