



AGENCY SPECIFIC RECORD SCHEDULE FOR: Environmental Conservation, Dept. of

- Authority:** A custodian of public records shall not destroy, give away, sell, discard, or damage any record or records in his or her charge, unless specifically authorized by law or under a record schedule approved by the state archivist pursuant to subdivision 117(a)(5) of Title 3. (1 V.S.A. § 317a)
- Scope:** This agency specific record schedule is applicable only to the records listed on this record schedule that are produced or acquired during the course of agency business. Records are any written or recorded information, regardless of physical form or characteristics, and includes electronic or digital records and data. (1 V.S.A. § 317)
- Use:** This is an agency specific record schedule (SRS). The agency (Environmental Conservation, Dept. of) may develop its own internal policies and procedures to assure that the requirements outlined in this record schedule are being applied across the agency. Records that need to be retained until OBSOLETE must be supported by an internal policy that clearly states a specific retention requirement that best meets the agency's administrative needs. Specific Record Schedule (SRS) numbers shall be cited in all internal policies to demonstrate compliance with 1 V.S.A. § 317a.
- Exemptions:** It is the policy of Title 1, Chapter 5, Subchapter 3 of Vermont Statutes Annotated to provide for free and open examination of records consistent with Chapter 1, Article 6 of the Vermont Constitution. All people, however, have a right to privacy in their personal and economic pursuits, which ought to be protected unless specific information is needed to review the action of a governmental officer. Some records listed on this record schedule may be exempt from public inspection and copying for this reason. Security measures to protect records and information from unauthorized access, use, and disclosure are necessary if the records are exempt pursuant to 1 V.S.A. §§ 315-320. Please see Appendix B for Access Requirements and Appendix E for related legal references regarding exemptions from public inspection and copying.
- Retention:** This agency specific record schedule reflects the retention and disposition requirements for the following records regardless of their media, format, or mode of transmission. Duplicate records within the same agency that are used for specific legal, fiscal, or administrative purposes may be either retained using the retention requirement listed in this schedule or in accordance to an internal policy. Any copies of records made only for convenience of reference or informational purposes may be discarded when no longer needed unless otherwise directed through an internal policy. Duplicates or copies of records shall not be retained longer than the original records.
- Adopted by:** Signature on file. Adopted by Commissioner Mears on November 6, 2012.

David Mears, Commissioner / Environmental Conservation, Dept. of

Date

STATE OF VERMONT SPECIFIC RECORD SCHEDULE

SRS-1019.1130: Contaminated Sites Remediation Records

SRS-1019.1130: This schedule is reserved for recorded evidence of activities and transactions that relate to or affect, in a specific manner, the remediation of contaminated properties to eliminate contamination or reduce the amount to an acceptable level.

Classification: Contaminated properties (Remediating)

Retention: Retain certificates, decisions, declarations, and orders until regulatory action concerning a specific site is completed, plus an additional ten (10) years, and then transfer to the Vermont State Archives & Records Administration (VSARA) for permanent preservation.

Plans, reports, and supporting material shall be retained until regulatory action concerning a specific site is completed, plus an additional ten (10) years. For major or significant regulatory actions, contact the Vermont State Archives & Records Administration (VSARA) for further appraisal; records must meet the criteria in "Vermont Archival Records" for major or significant in order to be identified as permanent (archival).

Other records shall be retained as specified in this schedule with the exception of transitory records. Transitory records may be weeded as appropriate in accordance with GRS-1000.1000 (Transitory Records).

Public Access: General

SPECIFIC RECORDKEEPING REQUIREMENTS for SRS-1019.1130 (see APPENDIX E for related legal references)

Record Category/Type:	Applicability/Use:	Appraised Value:	Retention/Disposition:
SRS-1019.1130.8 Applications Public Access: <i>General</i>	Use for applications seeking remediation funding or participation in the brownfield development program. Includes additional documentation submitted by the applicant. Use "Decisions" for applications that are considered relevant to a decision.	Temporary (Legal)	RETAIN UNTIL: Completed/Closed PLUS: 10 Year(s) THEN: Destroy (Shred)
SRS-1019.1130.21 Certificates Public Access: <i>General</i>	Use for certificates of compliance. Includes site management activity complete (SMAC) designations and certificates of completion for brownfields projects (COC).	Permanent (Archival)	RETAIN UNTIL: Completed/Closed PLUS: 10 Year(s) THEN: Archives
SRS-1019.1130.133 Decisions Public Access: <i>General</i>	Use for agency approvals or disapprovals of plans related to the investigation or remediation of a contaminated property. Includes substantive correspondence and relevant supporting material.	Permanent (Archival)	RETAIN UNTIL: Completed/Closed PLUS: 10 Year(s) THEN: Archives

STATE OF VERMONT SPECIFIC RECORD SCHEDULE

SRS-1019.1130.32 Declarations Public Access: <i>General</i>	Use for notifications to agency of a release, or suspected release, of contaminants.	Permanent (Archival)	RETAIN UNTIL: Completed/Closed PLUS: 10 Year(s) THEN: Archives
SRS-1019.1130.50 Notices, Legal Public Access: <i>General</i>	Use for notices to the public potentially affected by contamination or remedial action.	Temporary (Legal)	RETAIN UNTIL: Completed/Closed PLUS: 10 Year(s) THEN: Destroy (General)
SRS-1019.1130.63 Orders Public Access: <i>General</i>	Use for all orders issued by the agency or the court in relation to regulatory action.	Permanent (Archival)	RETAIN UNTIL: Completed/Closed PLUS: 10 Year(s) THEN: Archives
SRS-1019.1130.67 Petitions Public Access: <i>General</i>	Use for written requests for specific actions such as amendments and certificates of completion.	Temporary (Legal)	RETAIN UNTIL: Completed/Closed PLUS: 10 Year(s) THEN: Destroy (General)
SRS-1019.1130.69 Plans (reports) Public Access: <i>General</i>	Use for corrective action plans (CAP), including amendments, work plans, response reports, and corrective action feasibility.	Conditional Archival	RETAIN UNTIL: Completed/Closed PLUS: 10 Year(s) THEN: Confirm
SRS-1019.1130.144 Reports Public Access: <i>General</i>	Use for reports of corrective or remediation activities. Includes site investigation and completion reports.	Conditional Archival	RETAIN UNTIL: Completed/Closed PLUS: 10 Year(s) THEN: Confirm
SRS-1019.1130.88 Schedules Public Access: <i>General</i>	Use for remediation or corrective action schedules.	Temporary (Legal)	RETAIN UNTIL: Completed/Closed PLUS: 10 Year(s) THEN: Destroy (General)
SRS-1019.1130.36 Supporting material Public Access: <i>General</i>	Use for supplementary material related to the remediation of contaminated properties. Includes images, notes, public comments, referrals, and reference sources.	Conditional Archival	RETAIN UNTIL: Completed/Closed PLUS: 10 Year(s) THEN: Confirm

SRS-1019.1130 was approved by the Vermont State Archivist on 10/23/2012.

STATE OF VERMONT SPECIFIC RECORD SCHEDULE

Appendix A: Appraisal Values

An appraisal value establishes the usefulness or importance of a record after its original purpose has passed. The value of a record also dictates how it must be disposed after retention requirements are met (also see "Retention Requirements"). The appraisal values below represent categories of values that may be assigned to records following the record appraisal process. See "Vermont Archival Records" in the Archives and Records Management Handbook for conditions a record must meet to be appraised as "archival."

Appraisal Value	Description	Usage
Conditional Archival	Records may have archival value but not always.	Assigned to records that meet the conditions of a "Vermont Archival Record" under special circumstances.
Permanent (Archival)	Records have archival value.	Assigned to records that meet the conditions of a "Vermont Archival Record" and are therefore permanent (archival) records.
Temporary (Administrative)	Records have temporary administrative value.	Assigned to records that do not meet the conditions of a "Vermont Archival Record" but are needed for administrative reasons.
Temporary (Legal)	Records have temporary legal value.	Assigned to records that do not meet the conditions of a "Vermont Archival Record" but have legal requirements governing their retention.
Unappraised	Default value for records that have not been appraised.	Assigned to records that have not been appraised and do not yet have retention or disposition requirements.

STATE OF VERMONT SPECIFIC RECORD SCHEDULE

Appendix B: Public Access Requirements

A public access requirement is the availability of a record for public use and inspection pursuant to 1 V.S.A. §§ 315-320. Unless exempt from public inspection and copying pursuant to 1 V.S.A. § 317, records are expected to be promptly produced for public inspection upon request. Public agencies shall follow the procedure outlined in 1 V.S.A. § 318. The access requirements below represent actions agencies must take based on specific laws associated with the accessibility of their records. With general record schedules, the default requirement is always REVIEW unless it is clear that certain records or information within a record are exempt from public use and inspection pursuant to 1 V.S.A. § 317. Agencies using general record schedules should defer to their internal policies for specific access requirements.

Access	Description	Usage
Exempt	Records shall not be provided for free and open examination pursuant to 1 V.S.A. §§ 315-320.	Assigned to records that are wholly exempt from public use and inspection pursuant to 1 V.S.A. § 317.
General	Records may be provided for free and open examination pursuant to 1 V.S.A. §§ 315-320.	Assigned to records that are not exempt from public inspection and copying pursuant to 1 V.S.A. § 317.
Redact	Records contain specific information that shall not be provided for free and open examination pursuant to 1 V.S.A. §§ 315-320.	Assigned to records that contain specific information that is exempt from public inspection and copying pursuant to 1 V.S.A. § 317 and require exempt information to be redacted from the records prior to public use, inspection and/or copying.
Review	Records may be provided for free and open examination pursuant to 1 V.S.A. §§ 315-320 but not always. Default value for general schedules, which require agencies to establish internal policies.	Assigned to records that are generally not exempt from public inspection and copying pursuant to 1 V.S.A. § 317 but, in limited circumstances, may be exempt. Internal review and/or policy is required.

STATE OF VERMONT SPECIFIC RECORD SCHEDULE

Appendix C: Retention Requirements

A retention requirement is the length of time a record must be retained by an agency before it may be destroyed or transferred to the State Archives or an agency archives (also see "Disposition Requirements"). The retention requirements below represent events or triggers that cause records to move from an active to inactive state. An "event" is tied to a specific time requirement: i.e. Retain Until "Calendar Year Ends" PLUS 3 Years.

Retention	Description	Usage
Audit Complete	Retain until an audit or verification is complete.	Assigned to records that are actively used or needed until the information contained therein has been audited or verified.
Calendar Year Ends	Retain until the end of the calendar year.	Assigned to records that are actively used or needed until the end of the calendar year.
Completed/Closed	Retain until the activity or process supported by the record is completed.	Assigned to records that are actively used or needed until the activity is formally completed, closed, or finalized (includes appeals).
Expired	Retain until the conditions or requirements supported by the record are satisfied and no further action is needed.	Assigned to records that are actively used or needed until the conditions or requirements are satisfied and complete.
Fiscal Year Ends	Retain until the end of the fiscal year.	Assigned to records that are actively used or needed until the end of the fiscal year.
Life of Asset Ends	Retain for the life of the person, structure, object, organization, etc. that is the subject of the record.	Assigned to records that are actively used or needed for the life of person, structure, object, organization, etc.
Obsolete	Retain until the record is no longer needed and is valueless.	Assigned to records that have limited administrative value and may be purged when they no longer have any administrative value. Agency must develop internal policy that states when records no longer have administrative value.
Superseded	Retain until the record is superseded, updated, or revised.	Assigned to records that will be superseded, updated, or revised.

STATE OF VERMONT SPECIFIC RECORD SCHEDULE

Appendix D: Disposition Requirements

A disposition requirement is how an agency must dispose of a record from its legal custody once retention requirements have been met. Disposition is based on the record's appraisal value. If the record has been appraised as non-archival it will be destroyed after retention requirements are met. If appraised as archival the record will be transferred to the State Archives or agency archives for permanent preservation and access. The disposition requirements below represent actions that an agency must take once a record has met its retention requirements.

Disposition	Description	Usage
Archives	Retain indefinitely. These records are eligible for transfer to the State Archives or agency archives.	Assigned to records that have been appraised as having archival value and are therefore permanent records.
Confirm	Confirm disposition with the Vermont State Archives and Records Administration after retention requirement has been met.	Assigned to records that are maintained in a centralized database or information system or are appraised as conditional archival.
Destroy (General)	Destroy by recycling or deleting the record.	Assigned to records that have been appraised as non-archival and are not exempt from public access. Agency discretion advised for general record schedules.
Destroy (Shred)	Destroy by shredding (includes electronic shredding).	Assigned to records that have been appraised as non-archival and are exempt from public access or contain sensitive information.
Unappraised	Default value for records that have not been appraised.	Assigned to records that have not been appraised and do not yet have retention or disposition requirements.
Weed	Separate temporary records from archival records in accordance with the approved records schedule.	Assigned to records that have been appraised as conditional archival. Upon weeding the temporary records from the archival records, transfer archival records to the Archives.

STATE OF VERMONT SPECIFIC RECORD SCHEDULE

Appendix E: Legal References

SRS-1019.1130: Contaminated Sites Remediation Records		<i>Review for Exemption?</i>
10 V.S.A. § 1283	Contingency fund [related to water pollution control]	No
10 V.S.A. § 6603	Secretary; powers [related to waste management]	No
10 V.S.A. § 6608	Records; reports; monitoring [related to waste management]	No
10 V.S.A. § 6610a	Enforcement [related to hazardous material release and disposal]	No
10 V.S.A. § 6615	Liability [related to hazardous materials]	No
10 V.S.A. § 6615b	Corrective action procedures [related to contaminated sites]	No
10 V.S.A. § 6617	Person responsible for release [related to hazardous materials in groundwater or on land of the state]; notice to agency	No
10 V.S.A. § 6641	Brownfield property cleanup program; creation; powers	No
10 V.S.A. § 6643	Application process [related to brownfields reuse and environmental liability limitations]	No
10 V.S.A. § 6644	General obligations [related to brownfields reuse and environmental liability limitations]	No
10 V.S.A. § 6645	Eligibility [related to brownfields reuse and environmental liability limitations]	No
10 V.S.A. § 6647	Site investigation [related to brownfields reuse and environmental liability limitations]	No
10 V.S.A. § 6648	Corrective action plan [related to brownfields reuse and environmental liability limitations]	No
10 V.S.A. § 6649	Amendments to a corrective action plan [related to brownfields reuse and environmental liability limitations]	No
10 V.S.A. § 6650	Program withdrawal [related to brownfields reuse and environmental liability limitations]	No
10 V.S.A. § 6651	Implementation of corrective action plan [related to brownfields reuse and environmental liability limitations]	No
10 V.S.A. § 6652	Certificate of completion [related to brownfields reuse and environmental liability limitations]	No

STATE OF VERMONT SPECIFIC RECORD SCHEDULE

10 V.S.A. § 6654	Brownfield revitalization fund; creation; assistance	No
10 V.S.A. § 6655	State plan for brownfield reclamation	No
24 V.S.A. § 1154	Records; copies [related to land records]	No