

Schedule 58

DEPARTMENT OF ENVIRONMENT AND ENERGY

February 29, 2024

Nebraska Records Management Division
3242 Salt Creek Circle
Lincoln, NE 68504
(402) 471-2559

INSTRUCTIONS FOR USING THIS SCHEDULE

Records retention and disposition schedules are designed to serve as your records management guideline for storing and disposing of agency records, **regardless of the media on which they reside**, including paper, microfilm, diskettes, optical disks, CDs, DVDs, servers, computer hard drives, etc. This schedule was written specifically for records unique to your office and the State Agencies General Records Schedule #124 contains those records common to most state government agencies. This retention schedule, which is approved by the State Records Administrator, provides your only ongoing authority to dispose of records. Listed below are some basic procedures to follow when applying your schedule.

DISPOSING OF RECORDS

1. Check your schedules to see what the retention period is. Note: Your agency's unique schedule will take precedence over State Agencies General Records Schedule #124 for any items which have differences in retention requirements.
2. Dispose of records that have met their retention periods. Unless there is pending or on going, legal action, records request, or audit.
3. For records requiring a review of, or transfer to the **NE State Historical Society (State Archives)**, your agency is required to contact the State Archives to negotiate the transfer. Additionally, **once the records are accessioned into their collection, they become the property of the State Archives** (Neb. Rev. Stat. §82-105). The State Archives may remove selected records in accordance with standard archival practices to ensure efficient access, organization and enduring historical value (Neb. Rev. Stat. §82-107). Please contact their office by calling (402) 471-4783.
4. Complete a Records Disposition Report for the records you dispose. The Records Disposition Report form is located on the Secretary of State Records Management website. https://appengine.egov.com/apps/ne/sos_records_disposition_report. This report establishes that the destruction was performed in your normal course of business.

NON-SCHEDULED RECORDS

Contact a Records Management Specialist in Records Management to see whether the records will fit under an item already on the schedule. If they do not, they must be retained until they are added to the next revision of your schedule.

SCHEDULE UPDATE

It is the responsibility of each agency to periodically update their schedule. A Records Management Specialist in Records Management can assist you with the schedule update, which may involve adding new records series and making revisions to existing items. Keeping your schedule current will ensure you have the ongoing authority to discard records when their useful life has ended.

QUESTIONS

If you have any questions about these procedures, please contact your agency Records Officer or the Records Management Specialist in Records Management. They will help you with any questions the schedule may present, including: transferring records to the State Records Center or microfilming records, scanning records, etc.

**Records Management Division
3242 Salt Creek Circle
Lincoln, NE 68504
402-471-2559**

**REQUEST FOR APPROVAL
OF RECORDS RETENTION
AND DISPOSITION SCHEDULE**

SCHEDULE

58

AGENCY, BOARD OR COMMISSION

DEPARTMENT OF ENVIRONMENT AND ENERGY

DIVISION, BUREAU OR OTHER UNIT

**TO: STATE RECORDS ADMINISTRATOR
STATE OF NEBRASKA**

**Supersedes Edition of December 9, 2019 and
Schedule 4-2 Edition of February 3, 1992**

PART I – AGENCY STATEMENT:

In accordance with Section 84-1212.01, R.R.S. 1943, approval of the attached records retention and disposition schedule by the State Records Administrator is hereby requested. Retention periods and dispositions have been recommended by this agency after a careful evaluation of all factors listed in Section 84-1212.01, R.R.S. 1943.

SIGNATURE


jim maty (Feb 28, 2024 11:32 CST)

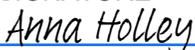
TITLE **Director NDEE**

DATE **Feb 28, 2024**

PART II – APPROVAL OF STATE ARCHIVES:

The attached schedule has been analyzed, all archival and historical material has been properly identified, no disposition except by transfer to the State Archives has been recommended for such material, and this schedule is approved as submitted.

SIGNATURE


Anna Holley (Feb 29, 2024 13:53 CST)

DATE

Feb 29, 2024

PART III – APPROVAL OF AUDITOR OF PUBLIC ACCOUNTS:

The attached schedule has been reviewed, all audit material has been properly identified, and this schedule is approved as submitted.

SIGNATURE


Pat Reding (Feb 29, 2024 14:55 CST)

DATE

Feb 29, 2024

PART IV – APPROVAL OF STATE RECORDS ADMINISTRATOR:

The attached schedule has been reviewed in accordance with Section 84-1212.01, R.R.S. 1943, and is approved as submitted.

SIGNATURE


Robert B. Evnen (Feb 29, 2024 15:11 CST)

DATE

February 29, 2024

RMA 01005D

**SCHEDULE 58
DEPARTMENT OF ENVIRONMENT AND
ENERGY**

Retention requirements are set for the information and may be kept in any medium, unless otherwise noted.

Supersedes Edition of December 9, 2019 and Schedule 4-2 Edition of February 3, 1992

ITEM NUMBER	RECORD TITLE	DESCRIPTION/EXAMPLES	RETENTION	REFERENCE/COMMENTS
58-1	ASBESTOS PROJECT NOTIFICATIONS (DEQ ASB)	National Emissions Standards for Hazardous Air Pollutants (NESHAP) forms submitted by Asbestos Contractors to notify the Department of the contractor's intent to demolish or renovate a site where asbestos may be present. When asbestos is removed from a structure, the contractor is required to notify the DEQ. The DEQ is required by the State Implementation Work Plan between the DEQ and the EPA to receive the notifications.	10 years	
58-2	BOND ISSUES	Revenue bonds issued by the Nebraska Investment Finance Authority for the State Revolving Fund (SRF). Documents include related correspondence and revenue bonds for the funds.	Review 10 years after the final bond maturity date.	
58-3	CONTRACTS, INTERAGENCY AGREEMENTS, AND MEMORANDUMS OF UNDERSTANDING	Cooperative agreements, related information and documents between the department and other state agencies, political subdivisions, federal agencies, and other states that are not filed under 58-1. The agreements for goods and services between the department and other entities may include consultant contracts and other contract documents Deliverables under a contract, such as data, reports draft documents, etc. should be filed in accordance with 58-1 when appropriate.	10 years after contract, agreement or memorandum expires.	NE TITLE 437 DIGITAL SIGNATURES ACT - ECM stored copy shall be considered the ORIGINAL
58-4	COST RECOVERY FILES	The Cost Recovery program coordinates efforts to collect funds from parties responsible for cleanup of contaminated property. Original time sheets and related accounting information to support program cost recovery under state and federal laws. Documents include timesheets, Disbursement Documents, Inter-transaction Documents (ITD's) or intrastate billing transactions (IBT's).	10 years after the date of the EPA Grant Financial Status Report	
58-5	DISCHARGE MONITORING REPORT QUALITY ASSURANCE (DMR QA)	DMR-QA results received from EPA. Facilities submit reports to a laboratory for wastewater analysis. The laboratory communicates results with EPA. EPA submits results to DEQ.	No longer of reference value	

ITEM NUMBER	RECORD TITLE	DESCRIPTION/EXAMPLES	RETENTION	REFERENCE/COMMENTS
58-7-5	DRONE DOCUMENTS	Utilization records/forms, flight area, certificate of authorizations, airspace waivers, telemetry. Does NOT include drone photographs or videos, or associated debriefing documents and/or reports	2 years	
58-7-5-1	DRONE PHOTOGRAPHY, VIDEO AND DRONE FLIGHT REPORTS	Records generated by the agency Drone Team working with agency staff. Including drone photography, video, and all associated debriefing documents and/or reports	FACILITY RELATED: 58-7 PROJECT RELATED: 58-15 OTHER REQUESTED ITEMS: 2 years or no longer of reference value	
58-5-2	ENERGY DATABASE FOR NEBRASKA	Computerized statistical files kept on various energy data in Nebraska. Files contain information on energy consumption, price, and other information affecting energy consumption. Provides record of energy consumption, price, and information to support an emergency energy situation. Data is also used to identify trends and plan for the future. Once a certain type of data is kept, each month's/year's data is added to produce an historical data series.	ONLINE ANNUAL DATA: Dispose of after data series is superseded or obsolete. ONLINE MONTHLY DATA: Dispose of after 20 years or after data is superseded or obsolete, whichever is sooner.	
58-18-5	ENERGY LOANS	Documents including loan applications, award documents, contracts, studies, facility plans, specifications, reporting, correspondence, and any other materials related to the loan. (E.G.- Municipal Gas Revolving Loans, Energy Extension Revolving, School Weatherization, Dollar Energy Savings)	3 years after loan is paid or application is denied or withdrawn, whichever applies, provided audit has been completed if required	
58-5-4	ENERGY REPORTS	Source reports stating disposition, generation, and consummation of fuel and/or electric resources. (Monthly Electric Utility Sales and Revenue, Monthly Power Plant, Motor Fuels Tax Statistics, Petroleum Status, Gas Supply and Requirements)	3 years	
58-5-5	ENERGY SHORTAGE MANAGEMENT PLAN RECORDS	Records of development and updating of the Energy Shortage Management Plan. The plan is required by state statute and prescribes methods of energy conservation and processes for managing energy shortage emergencies. File generally contains background papers, advisory committee records and planning documents.	3 years after superseded, subject to review by State Archivist before disposal for possible accession.	
58-6	EXPOSED AIR MONITORING FILTERS	Filters containing particulate matter collected by ambient air monitors, which have been analyzed gravimetrically to determine air quality.	4 years after filter is removed and data is recorded	

ITEM NUMBER	RECORD TITLE	DESCRIPTION/EXAMPLES	RETENTION	REFERENCE/COMMENTS
58-7	FACILITY FILES, MUNICIPAL AND COUNTY FILES, NATURAL RESOURCES DISTRICT FILES	Documents for a locational entity subject to regulation by the department, consisting of all buildings, equipment, structures and other stationary items which are located on a single site or on contiguous or adjacent sites and are owned or operated by the same person(s), including such things as monitoring sites and spill incidents. Records include complaints, compliance, permit, reporting and legal case information. Confidential files contain trade secrets, complainant information, enforcement investigations, criminal investigations, enforcement referral documents and other information transmitted to, by, and shared with agency legal counsel or the Attorney General in anticipation of litigation.	Permanent. INCOMPLETE PLANS/SPECIFICATIONS: Retain any submission as part of construction permit process until superseded by a final complete set that has been approved and a permit issued, then dispose DRAFT: Plan/report may be destroyed upon receipt and approval of FINAL plan/report.	Integrated Information System (IIS) is the database that stores documents tracking information. DEQ IIS is the Document Type Group in the ECM where images for facilities are stored. TITLE 437 DIGITAL SIGNATURES ACT – ECM stored copy shall be considered the original.
58-8	FINANCIAL ASSURANCE FILES	Documentation that demonstrates the owners and/or operators of a regulated facility have funds available for environmental obligations such as closure, emergency response, and other liability concerns.	5 years after site closure	
58-9	FISH KILL FILES	Files related to large-scale fish kills, which result from natural or chemical causes. Includes notification, sampling data and investigation report.	Retain in facility file if applicable. Non-facility related – review final report for disposal after 5 years	
58-10-15	GEOGRAPHICAL INFORMATION SYSTEMS (GIS) MAPPING AND SUPPORT DOCUMENTATION	Mapping and supporting data created, viewed, and analyzed utilizing Geographical Information Systems (GIS) to be used for multiple NDEE purposes in projects and programs as requested.	Superseded until obsolete. FACILITY RELATED: 58-7 PROJECT RELATED: 58-15	
58-10	GRANT FILES	Records that document the application, evaluation, award, administration, monitoring and status of grants which may come from federal or state governments or foundations and other private funding sources. May include applications, proposals, activities, budgets, awarded notification, grant evaluations, reports, project plans, expenditure reports, related correspondence and documentation.	AWARDED: 10 years after final grant expenditure report date of submission or as required by grant or program (whichever is later) NON-AWARDED: when no longer of reference value	See Also -124-63 TITLE 437 DIGITAL SIGNATURES ACT – ECM stored copy shall be considered original.

ITEM NUMBER	RECORD TITLE	DESCRIPTION/EXAMPLES	RETENTION	REFERENCE/COMMENTS
58-11	INDIVIDUAL CERTIFICATION FILES	Certifications of Individuals subject to certification by the department. Documents include application form, certification and continuing education credits. Certifications are issued following satisfactory completion of a written test.	5 years after certification expires	Chemigators, Onsite Installers, WWTF Operators, Well Drillers, Sanitarians
58-12	LAKE/STREAM FILE	Projects and topical subjects associated with a lake or stream segment that are not filed in a FACILITY FILE. Includes Ambient Monitoring Data, analysis, reports, fish sampling results, surface water analysis of lakes, rivers, and streams. Data is used to document existing water quality conditions and trends.	EPA STORET (STORAge and RETrieval) AND EDAS (Environmental Data Acquisition System) DATA - Permanent Data, lab and field sheets dispose 8 years after data is entered into STORET/EDAS	
58-13	NPDES CONSTRUCTION STORMWATER (DEQ CSW)	Storm water discharges from construction activities. Documents include Notices of Intent, Authorization letters, Storm Water Management Plans, Notices of Transfer, Tracking logs, and Inspections and Notices of Termination.	5 years after Notice of Termination or construction completion	
58-14	OFFICAL DOCUMENTS (DEQ OFFICIAL DOCUMENTS)	Documents pertaining to the delegation of Federal and State environmental programs; Delegations of authority within the agency, Interagency Agreements, Memoranda of Understanding (MOU) and Memoranda of Agreement (MOA) between the department and other state agencies, consultants, political subdivisions, federal agencies and other states. Governor and Legislative Correspondence; State Implementation Plan (SIP).	Permanent	Subject to review by State Archives when no longer of reference value
58-18-10	OIL OVERCHARGE CONSENT ORDER RECORDS	Files consist of planning division copies of originals and working papers. Included are records of awards, applications, orders approving applications, and final reports on the use of funds awarded in oil overcharge cases through the NDEE Energy Division	3 years after date of final report	
58-15	PROJECT FILES	This file could contain correspondence, photographs, sampling data, and final reports that pertain to special projects or topical subjects. Examples include 2007 Missouri River Flood, pipelines, truck washes, and lake studies, LB 1101 Study.	10 years after project has been completed, subject to review by the State Archives for possible accession	
58-16	QUALITY ASSURANCE	Overall agency plan for quality assurance, Quality Management Plan (QMP). Quality Assurance Project Plans (QAPP) for projects conducted by agency staff, and Standard Operating Procedures (SOP), quality assurance procedures, and other quality related documents that support obtaining and using scientifically reliable data.	SOP's and QAPP's destroy concurrently with data sheets, lab and field sheets (8 years after data is entered into electronic data system). Quality Management Plan (QMP) - permanent	

ITEM NUMBER	RECORD TITLE	DESCRIPTION/EXAMPLES	RETENTION	REFERENCE/COMMENTS
58-17	SMOKE SCHOOL CERTIFICATIONS	Documents include certification of completion. Certification is valid 6 months.	3 years after expiration	
58-18	STATE REVOLVING FUND (SFR) LOAN FILES	Documents include loan applications, award documents, contracts, facility plans, specifications, and any other material related to the loan.	Construction permit, plans and specifications and Operation and Maintenance Manuals: Permanent Retain Financial information: 20 years after the loan repayment Unsuccessful loan files: 3 years after final rejection/withdrawal	EPA Records Schedule 1003 4/30/2017
58-19	US ARMY CORP OF ENGINEERS SECTION 404 PERMITS AND 401 CERTIFICATIONS	Applications and correspondence concerning the approval of permits and certifications according to Section 404 and 401 of the Clean Water Act to place fill or dredged material in surface waters of the state.	10 years after project end.	