

**DEPARTMENT OF GENERAL SERVICES
RECORDS MANAGEMENT DIVISION
RECORDS RETENTION AND DISPOSAL SCHEDULE**

Schedule No. 2746

Page 1 of 2

**Agency: Maryland Department of the Environment
Division/Unit: Land Restoration Program**

This schedule supersedes Schedule Numbers 2187 and 1972.

Item No.	Description	Retention
1.	<p><u>Brownfield Master Inventory (BMI) Files</u>: This series contains site specific reports for sites investigated and/or remediated for the presence or perceived presence of hazardous waste or hazardous substances under the Federal Superfund Program, State Superfund Program or the Voluntary Cleanup Program. Records include, but are not limited to, discovery forms, preliminary assessments, site investigations, hazard ranking system score sheets, expanded site investigations, correspondence and consultant reports, selected information on some National Priority List sites, initial complaint or preliminary information, lab data, consultant reports, correspondence and photos. Site files represent an important historical record of potential and actual contamination at hazardous waste sites.</p> <p>The BMI files include all site files that were previously captured by the following categories:</p> <ul style="list-style-type: none"> • <u>State Master List Files</u>: Files for sites that have been investigated and/or remediated for possible contamination by hazardous waste or hazardous substances between 1982 and 1997. As of 1997, the Department stopped creating State Master List sites; instead it created "Non-Master List" sites. Beginning in 2013, State Master List sites and Non-State Master List sites are now included in the Brownfield Master Inventory List and not maintained in a separate list. Site files represent an important historical record of potential and actual contamination at hazardous waste sites. • <u>Non-Master List Site Files</u>: Files for sites that have been investigated and/or remediated for possible contamination by hazardous waste or hazardous substances between 1997 and 2013. As of 2013, no new Non-State Master List sites have been created. Beginning in 2013, Non-State Master List sites are now included in the Brownfield Master Inventory List and not maintained in a separate list. Site files represent an important historical record of potential and actual contamination at hazardous waste sites. The Department shall retain the original files and a digital copy for 5 years after site closure. • <u>Voluntary Cleanup Program Site Files</u>: This series contains site specific reports for Brownfield sites investigated and/or remediated by applicants and participants under the authority of the Voluntary Cleanup Program. Site files include, but are not limited to VCP application information, environmental site assessment reports, sampling plans, lab data, toxicological reports, response action plans, correspondence and final reports. Site files represent an important historical record of potential and actual contamination at hazardous waste sites. A Brownfield is a site where the presence or perceived presence of a hazardous substance(s) impedes redevelopment. 	<p>The Department shall retain the original files and scan paper in accordance with Maryland State Archives standards, then retain for 35 years after site closure and destroy. The images will be retained for 5 years, and then transferred to the Maryland State Archives.</p>

Schedule Approved by Department, Agency, or Division Representative.

Date 05/9/2017

Signature



Typed Name James Carroll

Title Program Administrator

Schedule Authorized by State Archivist

Date

6.19.17

Signature



**DEPARTMENT OF GENERAL SERVICES
RECORDS MANAGEMENT DIVISION
RECORDS RETENTION AND DISPOSAL SCHEDULE
(Continuation Sheet)**

Schedule No. 2746

Page 2 of 2

**Agency: Maryland Department of the Environment
Division/Unit: Land Restoration Program**

This schedule supersedes Schedule No. 2187 and 1972.

Item No.	Description	Retention
2.	<p><u>Federal Assessment and Remediation Division Files</u>: This series contains site history, correspondence, draft and final copies of reports and work plans, court and/or consent orders and the administrative record, on a site specific basis, for federal Superfund sites and federal facilities undergoing investigation and cleanup. Site files represent an important historical record of potential and actual contamination at hazardous waste sites. The Department shall retain the original files and a digital copy for 5 years after site closure.</p>	<p>The Department shall retain the original files and scan paper in accordance with Maryland State Archives standards, then retain for 35 years after site closure and destroy. The images will be retained for 5 years, and then transferred to the Maryland State Archives.</p>

<u>Instructions</u> –Type or Print a separate form for each new or revised record series. Forward with Records Retention Schedule (DGS 550-1)	DEPARTMENT OF GENERAL SERVICES RECORDS MANAGEMENT DIVISION 7275 Waterloo Road, P.O. Box 275 Jessup, Maryland 20794 410-799-1930	AGENCY RECORDS INVENTORY PAGE 1 OF 4
1. Department/Agency Maryland Department of the Environment	2. Division Land Management Administration	3. Unit Land Restoration Program
DEFINITION: RECORD SERIES: A group of related records normally filed and used as a unit for reference as well as retention and disposition purposes.		
4. Record Series Title Brownfield Master Inventory (BMI) Files	5. Earliest Year/Latest Year 1982 to 2017	
6. Record Series Description (Briefly describe the types of information/documents/forms found in the series. Include the purpose or function of the series.) <u>Brownfield Master Inventory (BMI) Files:</u> This series contains site specific reports for sites investigated and/or remediated for the presence or perceived presence of hazardous waste or hazardous substances under the Federal Superfund Program, State Superfund Program or the Voluntary Cleanup Program. Records include, but are not limited to, discovery forms, preliminary assessments, site investigations, hazard ranking system score sheets, expanded site investigations, correspondence and consultant reports, selected information on some National Priority List sites, initial complaint or preliminary information, lab data, consultant reports, correspondence and photos. Site files represent an important historical record of potential and actual contamination at hazardous waste sites. The Department shall retain the original files and a digital copy for 5 years after site closure. At that time, the Department shall scan hard copies in accordance with Maryland State Archives standards and retain both the paper and digital copy of the files onsite for 5 years before transferring both the original files and digital copy to the State Archives to be maintained for a period of 30 years. At the end of that period, the original files shall be destroyed. This records retention supersedes schedule no. 1972 signed by state archivist on March 5, 1998.		
7. Record Series Format(s) List all <input checked="" type="checkbox"/> Letter Size <input type="checkbox"/> Microfilm <input checked="" type="checkbox"/> Legal Size <input type="checkbox"/> Computer Tape <input type="checkbox"/> Audio Tape <input checked="" type="checkbox"/> Floppy Disk <input type="checkbox"/> Bound Book <input type="checkbox"/> Video Tape <input checked="" type="checkbox"/> Other (specify) <u>Oversize drawings and maps</u>	8. Record Series Sequence <input type="checkbox"/> Alphabetical <input type="checkbox"/> Numerical <input checked="" type="checkbox"/> Chronological <input type="checkbox"/> Geographical <input checked="" type="checkbox"/> Other (specify) <u>Topical</u>	9. Volume <u>Not applicable</u> Number <input type="checkbox"/> File Drawer(s) <input type="checkbox"/> Microfilm Reel(s) <input type="checkbox"/> Computer Tape(s) <input type="checkbox"/> Other (specify) _____ 10. Annual Accumulation <u>Not applicable</u> Number <input type="checkbox"/> File Drawer(s) <input type="checkbox"/> Microfilm Reel(s) <input type="checkbox"/> Computer Tape(s) <input checked="" type="checkbox"/> Other (specify) <u>Dependent upon case load</u>
11. File is Used <input checked="" type="checkbox"/> Daily <input type="checkbox"/> Weekly <input type="checkbox"/> Monthly <input type="checkbox"/> Annually	12. File Becomes Inactive After <u>5 years after case closure</u> Number <input type="checkbox"/> Month(s) <input checked="" type="checkbox"/> Year(s)	
13. Current Location(s) (Bldg., Floor, Room) Montgomery Park, 6 th Floor, Central Files	14. Is Record Series Duplicated Elsewhere? (If yes, specify agency or office.) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
15. Access Restrictions (If Yes, cite Law(s) & Regulation(s)) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	16. Audit Requirements <input type="checkbox"/> None <input type="checkbox"/> State <input checked="" type="checkbox"/> Federal <input type="checkbox"/> Independent	
17. Is an Index System used? If yes, explain briefly and describe requirements. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	18. Recommended Retention 30 Years	
19. Name and Title of Preparer James R. Carroll, Program Administrator	20. Telephone Number 410-537-3437	21. Date 5/9/2017

INSTRUCTIONS – Type or print a separate form for each new/revise electronic record series. Forward with Records Retention Schedule (DGS 550-1) COMAR 14.18.02		DEPARTMENT OF GENERAL SERVICES RECORDS MANAGEMENT DIVISION 7275 Waterloo Road, P.O. Box 275 Jessup, Maryland 20794 (410) 799-1930		ELECTRONIC RECORDS INVENTORY Page <u>2</u> of <u>4</u>	
1 DEPARTMENT/AGENCY MD Dept of the Environment		2 DIVISION Land Management Administration		3 UNIT Land Restoration Program	
DEFINITION – Record Series - A group of related records stored electronically and used as a unit for reference as well as retention and disposition purposes					
4 ELECTRONIC RECORD SERIES TITLE LRP – Brownfield Master Inventory (BMI) Files				5 EARLIEST YEAR/LATEST YEAR <u>2012 TO 2017</u>	
6 INPUT - Identify source of information to be entered LRP BMI files			7 OUTPUT - Identify the use/s of information generated by system Electronic storage of files		
8 ELECTRONIC RECORD SERIES DESCRIPTION - Briefly describe the information/documents/forms contained in a series. Include purpose and function of the system. <u>Brownfield Master Inventory (BMI) Files:</u> This series contains site specific reports for sites investigated and/or remediated for the presence or perceived presence of hazardous waste or hazardous substances under the Federal Superfund Program, State Superfund Program or the Voluntary Cleanup Program. Records include, but are not limited to, discovery forms, preliminary assessments, site investigations, hazard ranking system score sheets, expanded site investigations, correspondence and consultant reports, selected information on some National Priority List sites, initial complaint or preliminary information, lab data, consultant reports, correspondence and photos. Site files represent an important historical record of potential and actual contamination at hazardous waste sites.					
9 POLICY ON ACCESS AND USE – Explain or attach copy if established in writing. Site files represent an important historical record of potential and actual contamination at hazardous waste sites.					
10 UPDATING CYCLES OR CONDITIONS AND RULES FOR REVISING INFORMATION IN THE SYSTEM Annually					
11 SPECIFY THE LOCATION AND MEDIA OF THE MAIN ELECTRONIC DATA FILE. Explain the progression established to ensure the record's retention and usability throughout the record's authorized life cycle. MDE Headquarter's office					
12 RECOMMENDED RETENTION 5 years					
13 TYPED OR PRINTED NAME OF PREPARER 		14 TELEPHONE NUMBER 410-537-3437		15 DATE 5/9/2017	
16 TITLE OF PREPARER Program Administrator, Land Restoration Program					
DGS 550-6 (rev. 10/12)					

<p><u>Instructions</u> –Type or Print a separate form for each new or revised record series. Forward with Records Retention Schedule (DGS 550-1)</p>	<p>DEPARTMENT OF GENERAL SERVICES RECORDS MANAGEMENT DIVISION 7275 Waterloo Road, P.O. Box 275 Jessup, Maryland 20794 410-799-1930</p>	<p>AGENCY RECORDS INVENTORY</p> <p>PAGE 3 OF 4</p>
<p>1. Department/Agency Maryland Department of the Environment</p>	<p>2. Division Land Management Administration</p>	<p>3. Unit Land Restoration Program</p>
<p>DEFINITION: RECORD SERIES: A group of related records normally filed and used as a unit for reference as well as retention and disposition purposes.</p>		
<p>4. Record Series Title Federal Assessment and Remediation Division Files</p>	<p>5. Earliest Year/Latest Year 1982 to 2017</p>	
<p>6. Record Series Description (Briefly describe the types of information/documents/forms found in the series. Include the purpose or function of the series.) Federal Assessment and Remediation Division Files: This series contains site history, correspondence, draft and final copies of reports and work plans, court and/or consent orders and the administrative record, on a site specific basis, for federal Superfund sites and federal facilities undergoing investigation and cleanup. Site files represent an important historical record of potential and actual contamination at hazardous waste sites. The Department shall retain the original files and a digital copy for 5 years after site closure. The Department shall retain the original files and a digital copy for 5 years after site closure. At that time, the Department shall scan hard copies in accordance with Maryland State Archives standards and retain both the paper and digital copy of the files onsite for 5 years before transferring both the original files and digital copy to the State Archives to be maintained for a period of 30 years. At the end of that period, the original files shall be destroyed. This records retention supersedes schedule no. 1972 signed by state archivist on March 5, 1998.</p>		
<p>7. Record Series Format(s) List all</p> <p><input checked="" type="checkbox"/> Letter Size <input type="checkbox"/> Microfilm</p> <p><input checked="" type="checkbox"/> Legal Size <input type="checkbox"/> Computer Tape</p> <p><input type="checkbox"/> Audio Tape <input checked="" type="checkbox"/> Floppy Disk</p> <p><input type="checkbox"/> Bound Book <input type="checkbox"/> Video Tape</p> <p><input checked="" type="checkbox"/> Other (specify) <u>Oversize drawings and maps</u></p>	<p>8. Record Series Sequence</p> <p><input type="checkbox"/> Alphabetical</p> <p><input type="checkbox"/> Numerical</p> <p><input checked="" type="checkbox"/> Chronological</p> <p><input type="checkbox"/> Geographical</p> <p><input checked="" type="checkbox"/> Other (specify) <u>Topical</u></p>	<p>9. Volume</p> <p><u>Not applicable</u></p> <p>Number</p> <p><input type="checkbox"/> File Drawer(s)</p> <p><input type="checkbox"/> Microfilm Reel(s)</p> <p><input type="checkbox"/> Computer Tape(s)</p> <p><input type="checkbox"/> Other (specify) _____</p> <p>10. Annual Accumulation</p> <p><u>Not applicable</u></p> <p>Number</p> <p><input type="checkbox"/> File Drawer(s)</p> <p><input type="checkbox"/> Microfilm Reel(s)</p> <p><input type="checkbox"/> Computer Tape(s)</p> <p><input checked="" type="checkbox"/> Other (specify) <u>Dependent upon case load</u></p>
<p>11. File is Used</p> <p><input checked="" type="checkbox"/> Daily <input type="checkbox"/> Weekly <input type="checkbox"/> Monthly <input type="checkbox"/> Annually</p>	<p>12. File Becomes Inactive After</p> <p><u>5 years after case closure</u></p> <p>Number <input type="checkbox"/> Month(s) <input checked="" type="checkbox"/> Year(s)</p>	
<p>13. Current Location(s) (Bldg., Floor, Room)</p> <p>Montgomery Park, 6th Floor, Central Files</p>	<p>14. Is Record Series Duplicated Elsewhere? (If yes, specify agency or office.)</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>15. Access Restrictions (If Yes, cite Law(s) & Regulation(s))</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>16. Audit Requirements</p> <p><input type="checkbox"/> None <input type="checkbox"/> State <input checked="" type="checkbox"/> Federal <input type="checkbox"/> Independent</p>	
<p>17. Is an Index System used? If yes, explain briefly and describe requirements</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>18. Recommended Retention</p> <p>35 Years</p>	
<p>19. Name and Title of Preparer</p> <p>James R. Carroll, Program Administrator</p>	<p>20. Telephone Number</p> <p>410-537-3437</p>	<p>21. Date</p> <p>5/9/2017</p>

INSTRUCTIONS – Type or print a separate form for each new/revised electronic record series. Forward with Records Retention Schedule (DGS 550-1) COMAR 14.18.02		DEPARTMENT OF GENERAL SERVICES RECORDS MANAGEMENT DIVISION 7275 Waterloo Road, P.O. Box 275 Jessup, Maryland 20794 (410) 799-1930		ELECTRONIC RECORDS INVENTORY Page <u>4</u> of <u>4</u>	
1 DEPARTMENT/AGENCY MD Dept of the Environment		2 DIVISION Land Management Administration		3 UNIT Land Restoration Program	
DEFINITION – Record Series - A group of related records stored electronically and used as a unit for reference as well as retention and disposition purposes					
4 ELECTRONIC RECORD SERIES TITLE LRP – Federal Assessment and Remediation Division Files				5 EARLIEST YEAR/LATEST YEAR <u>2012 TO 2017</u>	
6 INPUT - Identify source of information to be entered LRP Federal Assessment & Remediation			7 OUTPUT - Identify the use/s of information generated by system Electronic storage of files		
8 ELECTRONIC RECORD SERIES DESCRIPTION - Briefly describe the information/documents/forms contained in a series. Include purpose and function of the system. <u>Federal Assessment and Remediation Division Files:</u> This series contains site history, correspondence, draft and final copies of reports and work plans, court and/or consent orders and the administrative record, on a site specific basis, for federal Superfund sites and federal facilities undergoing investigation and cleanup. Site files represent an important historical record of potential and actual contamination at hazardous waste sites. The Department shall retain the original files and a digital copy for 5 years after site closure. The Department shall retain the original files and a digital copy for 5 years after site closure. At that time, the Department shall scan hard copies in accordance with Maryland State Archives standards and retain both the paper and digital copy of the files onsite for 5 years before transferring both the original files and digital copy to the State Archives to be maintained for a period of 30 years. Site files represent an important historical record of potential and actual contamination at hazardous waste sites.					
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11 SPECIFY THE LOCATION AND MEDIA OF THE MAIN ELECTRONIC DATA FILE. Explain the progression established to ensure the record's retention and usability throughout the record's authorized life cycle. MDE Headquarter's office					
12 RECOMMENDED RETENTION 5 years					
13 TYPED OR PRINTED NAME OF PREPARER 		14 TELEPHONE NUMBER 410-537-3437		15 DATE 5/9/2017	
16 TITLE OF PREPARER Program Manager – Land Restoration Program					
DGS 550-6 (rev. 10/12)					



Maryland

Department of
the Environment

Larry Hogan
Governor

Boyd Rutherford
Lieutenant Governor

Ben Grumbles
Secretary

MEMORANDUM

Date: 09 May 2017

TO: Archivist

THROUGH: Cynthia Keller
Dorothy Hall

FROM: James Carroll, Program Administrator
Land Restoration Program

SUBJECT: Response to Comments on the Land Restoration Program's Archival Schedule
(Alternate Title – A History of the Land Restoration Program)

In order to respond to the questions posed in Item 1 through Item 6 in the September 20, 2016 memorandum, it is necessary to understand the evolution of the terminology used to categorize sites between the mid-1980s and the present. The challenge for managing the administrative records for sites subject, or partially subject to statutory and regulatory oversight by the Land Restoration Program (LRP) is that these sites may be categorized in different ways over time. The overarching objective for archiving these documents is to preserve critical information pertaining to the assessment, remediation, and operation and maintenance activities on each site so current and future users of the site have access to information that protects users from exposure to hazardous substances that pose or may pose a risk to public health or the environment.

Background

When the Maryland Legislature first passed the Controlled Hazardous Substance Act in 1988, it required the Maryland Department of the Environment (MDE) to create a master list of sites at which MDE has reason to believe or has been notified that controlled hazardous substances may be present. [§7-223(a) of the Environment Article]. This master list of sites throughout the State was called the "State Master List" (SML) and was updated every 6 months with new sites and was integrated within the list of sites entered into the federal Comprehensive Environmental Response, Compensation and Liability Act Information System (CERCLIS) database. If a new site was entered into CERCLIS, it also was placed on the SML. MDE followed this process was followed until 1997.

In late 1995, MDE participated in a growing national trend to identify "brownfield" sites that could be assessed and cleaned up to encourage redevelopment and economic growth while reducing the need to develop "Greenfield" sites. As part of this process, MDE implemented a Brownfield Initiative. This initiative identified a growing list of properties that were in areas targeted for redevelopment but that redevelopment was impeded by contamination or perceived contamination. These properties (or Brownfield sites) were assessed and/or remediated. To track the sites, they were included in the SML but characterized as part of the Brownfield initiative.

In 1997, the regulated community argued that sites placed on the SML carried a stigma that impeded redevelopment. In response, MDE created a Non-Master List (NML) and placed newly discovered sites on this list. It ceased placing sites on the SML. At the same time, the Voluntary Cleanup Program (VCP) was created. MDE tracked these sites as "VCP" sites although many VCP sites may have also been on either the SML or NML. The VCP sites also may have been a "Brownfield Initiative" site.

The categorization of sites also did not stop with NML or VCP. MDE received federal funding to perform assessment activities on sites to determine whether they were eligible for inclusion on the federal National Priority List (NPL). These sites were categorized as "Site Assessment" sites and were not always included on the NML but tracked separately due to federal funding. In some situations, the presence of hazardous substances at the property did not merit federal remedial action but did require some action under State law. In those instances, the site was included on the NML.

Beginning in 2008, LRP re-evaluated its process of tracking multiple lists of sites. By 2013, it established a new process by which all the sites previously categorized as NML, SML, Site Assessment, VCP, federal facility, NPL, Brownfield, or FUDS (formerly used defense site) were simply designated as a Brownfield Master Inventory (BMI) list site and assigned a BMI number.

Proposal

In submitting the proposed records management schedules for review and approval, LRP simply updated the existing disposal schedule and edited the language to include "Brownfields Master Inventory", as well as including the provision for creating electronic copies of the records to be retained. Based on reviewing the comments from Maryland State Archives (MSA), LRP believes it may be prudent to revise and simplify the records management schedules to a single record retention schedule for all BMI sites. In addition, the practice of identifying each individual division and section within the LRP would be eliminated. Instead, LRP is proposing the following:

1. Include an explanatory note stating that MDE maintained site files under a variety of different categories prior to 2013 but all files have now been consolidated under a single "Brownfield Master Inventory" category.
2. In the "Retention" column, revise the language to say:

"The Department shall scan the original paper copy of the administrative site files in accordance with Maryland State Archives standards, then retain for 35 years after site closure and destroy. The electronic images will be retained for 5 years, and then transferred to the Maryland State Archives."