

DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES  
ASSISTANT SECRETARY FOR ENVIRONMENTAL PROTECTION  
DIVISION OF LAND RESOURCES  
LAND QUALITY SECTION

Program Records Retention and Disposition Schedule

The Program Records Retention and Disposition Schedule and retention periods governing the records series listed herein are hereby approved. In accordance with the provisions of Chapters 121 and 132 of the General Statutes of North Carolina, it is agreed that the records of the

LAND QUALITY SECTION

do not and will not have further official use or value for administrative, research, or reference purposes after the respective retention periods specified herein. The N.C. Department of Cultural Resources consents to the destruction or other disposition of these records in accordance with the retention and disposition instructions specified in this schedule. However, records subject to audit or those legally required for ongoing official proceedings must be retained until released from such audits or official proceedings, notwithstanding the instructions of this schedule.

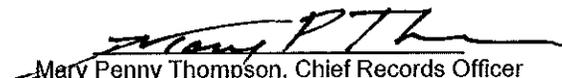
The Department of Environment and Natural Resources and the Department of Cultural Resources agree that certain records series have minimal administrative, reference, or historical value. When the custodian of any official State records certifies to the Department of Cultural Resources that such records have no further use or value for official and administrative business and when the Department certifies that such records appear to have no further use or value for research or reference, then such records may be destroyed or otherwise disposed of by the agency having custody of them. As part of its program operations the Department of Environment and Natural Resources agrees to establish and enforce internal policies. The policy will specify how long those records must be retained and when they must be destroyed.

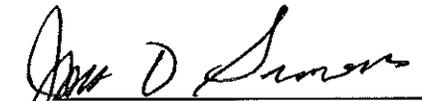
E-mail messages sent or received by Executive Branch agencies shall be retained for 10 years pursuant to Executive Order No. 18 (issued July 7, 2009 by Governor Beverly Perdue) and as set forth in G1 of the General Schedule for State Agency Records. Any E-mail messages requiring retention longer than 10 years, including those with permanent historical value, shall be designated with specific retention periods in this program records schedule. **Public records including electronic records not listed in this schedule or in the *General Schedule for State Agency Records* are not authorized to be destroyed. The**

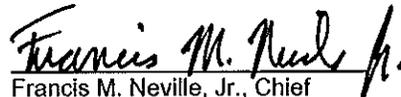
LAND QUALITY SECTION

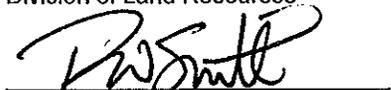
agrees to destroy, transfer or dispose of records in the manner and at the times specified herein. This schedule is to remain in effect until superseded.

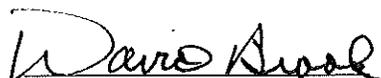
APPROVAL RECOMMENDED

  
Mary Penny Thompson, Chief Records Officer  
General Counsel/Assistant Secretary

  
James D. Simons, Director  
Division of Land Resources

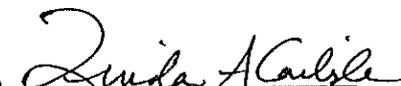
  
Francis M. Neville, Jr., Chief  
Land Quality Section

  
Robin W. Smith,  
Assistant Secretary for Environmental Protection

  
David Brook, Director  
Division of Historical Resources

APPROVED

  
Dee Freeman, Secretary  
Department of Environment and Natural Resources

  
Linda A. Carlisle, Secretary  
Department of Cultural Resources

**DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES  
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MINE RECLAMATION PROGRAM**

**ITEM 4095. ACTIVE MINING PERMITS FILE.**

Records in paper and electronic formats, including e-mail, concerning permits issued to operators to engage in mining and other related records in paper and electronic formats. File includes actions for violations of mining regulations, agreements, applications, complaint letters, correspondence, environmental impact statements, inspection reports, maps showing locations of mines, and other related records concerning enforcement. Mining companies' names, acreages, permit numbers, county names, assessment amounts and payment dates, and other related data are entered into the appropriate fields in Mining Permits Integrated Build Environment for Application Management Database (Electronic) File (Item 34883) and is routinely updated.

DISPOSITION INSTRUCTIONS: Print electronic records, including e-mail, and interfile with related paper records. Retention of the electronic version of e-mail records in this series is governed by G1 of the General Schedule for State Agency Records, which requires that e-mail be retained for 10 years pursuant to Executive Order No. 18 issued July 7, 2009 by Governor Beverly Perdue. Transfer records concerning enforcement actions for violations of mining regulations to Mining, Sedimentation, and Dam Safety Enforcement Actions File (Item 4099) upon completion of actions. Transfer remaining records to Mines Release File (Item 4096) when mine is designated as reclaimed or closed.

**ITEM 4096. MINES RELEASE FILE.**

Records in paper and electronic formats, including e-mail, concerning mines that have been reclaimed or closed and completed enforcement actions against mining operators. File includes applications, correspondence, inactive mining permits, inspection reports, maps showing locations of mines, reference copies of security bonds, release letters, and other related records. Mine closing/reclamation dates and other related data are entered into Mining Permits Database (Electronic) File (Item 34883) and routinely updated.

DISPOSITION INSTRUCTIONS: Retention of e-mail records in this series is governed by G1 of the General Schedule for State Agency Records, which requires that e-mail be retained for 10 years pursuant to Executive Order No. 18 issued July 7, 2009 by Governor Beverly Perdue. After one year of closure of mine, destroy in office after reference value has ended.

**ITEM 4097. GENERAL MINING (REFERENCE) FILE.**

Records in paper and electronic formats, including e-mail, concerning mining. File includes correspondence, policy statements, newspaper articles, and other related records.

DISPOSITION INSTRUCTIONS: Retention of e-mail records in this series is governed by G1 of the General Schedule for State Agency Records, which requires that e-mail be retained for 10 years pursuant to Executive Order No. 18 issued July 7, 2009 by Governor Beverly Perdue. Destroy in office when reference value ends. Destroy immediately records currently held at the State Records Center.

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**ITEM 4103. NORTH CAROLINA MINING COMMISSION MINUTES FILE.**

Official minutes, in paper and electronic formats, of meetings of the North Carolina Mining Commission. (This is an essential agency record.)

**DISPOSITION INSTRUCTIONS:** Within six months after approval by the Commission, the approved minutes and associated documents will be scanned and posted on the agency web site. Electronic records will be retained in office permanently and updated in office routinely. Transfer a duplicate copy of the official signed governing board minutes to the State Records Center after 3 year(s) to be imaged. Agency will be responsible for cost of microfilm production. After completion of imaging and production of the microfilm, the silver-halide original microfilm will be transferred to the custody of the Archives. Paper records will be destroyed in the State Records Center after imaging. Retain signed (original) governing board minutes in office permanently.

**ITEM 49338. NORTH CAROLINA MINING COMMISSION CORRESPONDENCE FILE.**

Annual correspondence in paper and electronic formats, including e-mail, to and from the North Carolina Mining Commission. File also includes correspondence of committees under the commission, requests from the general public or employees of the department, and other related records.

**DISPOSITION INSTRUCTIONS:** Retention of e-mail records in this series is governed by G1 of the General Schedule for State Agency Records, which requires that e-mail be retained for 10 years pursuant to Executive Order No. 18 issued July 7, 2009 by Governor Beverly Perdue. Transfer paper records to the State Records Center after 2 years. Records will be held for agency in the State Records Center 5 additional years and then transferred to the custody of the Archives. Transfer electronic records after 2 years to the State Records Center for immediate transfer to the custody of the Archives. Contact the Electronic Records Branch prior to the transfer of electronic records.

**ITEM 14602. MINING BONDS FILE.**

Reference copies of security bonds which mine operators are required to post in order to obtain permits. File also includes correspondence, including e-mail, to and from bonding companies.

**DISPOSITION INSTRUCTIONS:** Retention of e-mail records in this series is governed by G1 of the General Schedule for State Agency Records, which requires that e-mail be retained for 10 years pursuant to Executive Order No. 18 issued July 7, 2009 by Governor Beverly Perdue. Transfer to Mines Release File (Item 4096) when mine is designated reclaimed or closed.

**ITEM 14607. MINING OPERATIONS MAPS (REFERENCE) FILE.**

U.S. Geological Survey topographic quadrangle maps showing mining activities within the state.

**DISPOSITION INSTRUCTIONS:** Item discontinued. All records destroyed.

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**ITEM 34883. MINING PERMITS DATABASE (ELECTRONIC) FILE.**

Electronic records concerning operators who are issued permits to engage in mining and enforcement actions taken against operators for violations of mining regulations. Acreages, county names, mining companies' names, mine closing/reclamation dates, permit numbers, and other related data are entered into fields within this database.

DISPOSITION INSTRUCTIONS: Update in office routinely. Retain in office permanently. Transfer 1 security copy of the Mining Permits Database (Electronic) File (Item 34883) to an off-site location for backup storage.

**ITEM 34945. CLOSED MINING ENFORCEMENT ACTIONS FILE.**

Records in paper and electronic formats concerning completed enforcement actions for violations of mining regulations. File includes appeals, agreements, environmental impact statements, complaint letters, correspondence, listings of civil penalty assessments, and other related legal records.

DISPOSITION INSTRUCTIONS: Item discontinued. Function and records transferred to Mining, Sedimentation, and Dam Safety Enforcement Actions File (Item 4099).

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EROSION AND SEDIMENTATION PROGRAM**

**ITEM 25454. SEDIMENTATION POLLUTION CONTROL PROJECT FILE.**

Records in paper and electronic formats concerning erosion control measures taken for construction sites within the jurisdiction of regional offices.

DISPOSITION INSTRUCTIONS: Transfer when project is designated inactive and all enforcement actions and legal matters are resolved to Inactive Sedimentation Pollution Control File (Item 25455).

**ITEM 25455. CLOSED SEDIMENTATION POLLUTION CONTROL PROJECT FILE.**

Records in paper and electronic formats, including e-mail, concerning erosion control for completed construction projects conducted within the areas of jurisdiction of regional offices.

DISPOSITION INSTRUCTIONS: Retention of e-mail records in this series is governed by G1 of the General Schedule for State Agency Records, which requires that e-mail be retained for 10 years pursuant to Executive Order No. 18 issued July 7, 2009 by Governor Beverly Perdue. Destroy both paper and electronic records after 1 year, if no litigation, claim, audit, or other official action involving the records has been initiated. If official action has been initiated, destroy upon completion of action and resolution of issues involved.

**ITEM 4098. SEDIMENTATION CONTROL COMMISSION CORRESPONDENCE FILE.**

Annual correspondence in paper and electronic formats, including e-mail, to and from the Sedimentation Control Commission. File also includes general correspondence of committees under the commission, requests from the general public or employees of the department for clarification of sedimentation laws or policies, reference copies of civil penalty assessments and paid bills for education funds, and other related records.

DISPOSITION INSTRUCTIONS: Retention of e-mail records in this series is governed by G1 of the General Schedule for State Agency Records, which requires that e-mail be retained for 10 years pursuant to Executive Order No. 18 issued July 7, 2009 by Governor Beverly Perdue. Transfer paper records to the State Records Center after 2 years. Records will be held for agency in the State Records Center 5 additional years and then transferred to the custody of the Archives. Transfer electronic records after 2 years to the State Records Center for immediate transfer to the custody of the Archives. Contact the Electronic Records Branch prior to the transfer of electronic records.

**ITEM 49697. SEDIMENTATION CONTROL PROGRAM DATABASE (ELECTRONIC) FILE.**

Electronic records concerning sedimentation control projects conducted in accordance with North Carolina laws and enforcement actions. File includes project descriptions, construction specifications, complaint letters, photographs, inspection reports, and other related records.

DISPOSITION INSTRUCTIONS: Update in office routinely. Retain in office permanently. Transfer 1 security copy of the Sedimentation Control Program Database (Electronic) File (Item 49697) to an off-site location for backup storage.

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**ITEM 4099. MINING, SEDIMENTATION, AND DAM SAFETY ENFORCEMENT ACTIONS FILE.**

Records in paper and electronic formats, including e-mail, concerning enforcement actions for violations of mining, sedimentation, and/or dam safety regulations. File includes agreements, correspondence, environmental impact statements, complaint letters, appeals, civil penalty assessments, and other related legal records. Violators' names, county names, assessment amounts and payment dates, and other related data are entered into Enforcement Actions Database (Electronic) File (Item 34882) and routinely updated. (Comply with applicable provisions of G.S. 132-1.2 and 132-1.2(2) regarding confidentiality of confidential communications by legal counsel.)

**DISPOSITION INSTRUCTIONS:** Retention of the electronic version of e-mail records in this series is governed by G1 of the General Schedule for State Agency Records, which requires that e-mail be retained for 10 years pursuant to Executive Order No. 18 issued July 7, 2009 by Governor Beverly Perdue. Print and interfile electronic records with related paper records. Destroy in office electronic versions of records once they have been printed and interfiled. Transfer paper records to the State Records Center after 2 years, if no further litigation, claim, audit, or other official action involving the records has been initiated. If further official action has been initiated, transfer upon completion of action and resolution of issues involved. Records will be held for agency for 5 additional years and then transferred to the custody of the Archives.

**ITEM 4102. SEDIMENTATION CONTROL COMMISSION MINUTES FILE.**

Official minutes, in paper and electronic formats, of meetings of the Sedimentation Control Commission. (This is an essential agency record.)

**DISPOSITION INSTRUCTIONS:** Within six months after approval by the Commission, scan the approved minutes and associated documents and post the electronic version of the records on the agency web site. Retain in office electronic records permanently and update in office routinely. Transfer a duplicate copy of the official signed commission minutes to the State Records Center after 3 year(s) to be imaged. Agency will be responsible for cost of microfilm production. After completion of imaging and production of the microfilm, the silver-halide original microfilm will be transferred to the custody of the Archives. Paper records will be destroyed in the State Records Center after imaging.

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DAM SAFETY PROGRAM**

**ITEM 4100. DAM SAFETY PROJECT FILE.**

Records in paper and electronic formats, including e-mail, concerning dams constructed or repaired in accordance with North Carolina laws and enforcement actions. File includes plan copies, construction specifications, complaint letters, photographs, inspection reports, and other related records. (Comply with applicable provisions of G.S. 132-1.7 regarding confidentiality of sensitive public security information.)

DISPOSITION INSTRUCTIONS: Retention of e-mail records in this series is governed by G1 of the General Schedule for State Agency Records, which requires that e-mail be retained for 10 years pursuant to Executive Order No. 18 issued July 7, 2009 by Governor Beverly Perdue. Scan paper records and transfer electronic copies of blueprints, construction specifications, and other documents pertaining to the design, construction, and inspection of regulated dams within 3 years of receipt to the Dam Safety Program Database (Electronic) File (Item 49698). Destroy in office paper copies of scanned records when all quality control procedures have been completed. Transfer security copy of digital records to an off-site location for backup storage. Retain digital copy in office and off-site location permanently.

**Item 4101. DAM SAFETY ADMINISTRATIVE (REFERENCE) FILE.**

Records in paper and electronic formats, including e-mail, concerning the administration of the dam safety program. File includes correspondence, newspaper clippings, rules and regulations, reports listing histories of regulatory and statutory enactment, and other related records.

DISPOSITION INSTRUCTIONS: Retention of e-mail records in this series is governed by G1 of the General Schedule for State Agency Records, which requires that e-mail be retained for 10 years pursuant to Executive Order No. 18 issued July 7, 2009 by Governor Beverly Perdue. Destroy remaining records in office when reference value ends.

**ITEM 49698. DAM SAFETY PROGRAM DATABASE (ELECTRONIC) FILE.**

Electronic records concerning dams constructed or repaired in accordance with North Carolina laws and enforcement actions. File includes plan copies, construction specifications, complaint letters, photographs, inspection reports, and other related records.

DISPOSITION INSTRUCTIONS: Update in office routinely. Retain in office permanently. Transfer 1 security copy of the Dam Safety Program Database (Electronic) File (Item 49698) to an off-site location for backup storage.

**ITEM 14608. DAM SAFETY U.S. GEOLOGICAL SURVEY TOPOGRAPHIC QUADRANGLE MAPS (REFERENCE) FILE.**

U.S. Geological Survey topographic quadrangle maps showing locations of dams in North Carolina as defined by the Dam Safety Law of 1967.

DISPOSITION INSTRUCTIONS: Destroy in office when reference value ends.

**ITEM 14610. DAM SAFETY LEGISLATION (REFERENCE) FILE.**

Records in paper and electronic formats of reference copies of legislation concerning dam safety. File also includes administrative codes, proposed regulations, and reference copies of pending legislation.

DISPOSITION INSTRUCTIONS: Destroy in office when reference value ends.

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**ITEM 25453. DAM SAFETY REGIONAL OFFICE PROJECT FILE.**

Records in paper and electronic formats, including e-mail, concerning agency inspection of dams within the jurisdiction of regional offices. File includes correspondence, inspection reports, maps, plans and specifications, and other related records. (Comply with applicable provisions of G.S. 132-1.7 regarding confidentiality of sensitive public security information.)

DISPOSITION INSTRUCTIONS: Retention of e-mail records in this series is governed by G1 of the General Schedule for State Agency Records, which requires that e-mail be retained for 10 years pursuant to Executive Order No. 18 issued July 7, 2009 by Governor Beverly Perdue. Scan paper records in office. Destroy in office paper copies of scanned records after all quality control procedures have been completed. Transfer electronic records into the Dam Safety Program Database (Electronic) File (Item 49698).

**ITEM 34882. MINING, SEDIMENTATION, AND DAM SAFETY ENFORCEMENT ACTIONS DATABASE (ELECTRONIC) FILE.**

Electronic records concerning enforcement actions for violations of mining, sedimentation and dam safety regulations. Violators' names, county names, assessment amounts and payment dates, and other related data are entered into this electronic file.

DISPOSITION INSTRUCTIONS: Update in office. Retain in office permanently. Transfer 1 security copy of the Enforcement Actions Database Electronic File (Item 34882) to an off-site location for backup storage.

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**ITEM 14606. ORDINANCES AND COMPLAINTS (REFERENCE) FILE.**

Records in paper and electronic formats, including e-mail, of reference copies of local ordinances concerning mining, sedimentation, or dam safety. File consists of correspondence, specifically complaint letters.

DISPOSITION INSTRUCTIONS: Retention of e-mail records in this series is governed by G1 of the General Schedule for State Agency Records, which requires that e-mail be retained for 10 years pursuant to Executive Order No. 18 issued July 7, 2009 by Governor Beverly Perdue. Destroy remaining records in office when reference value ends.

**ITEM 14609. CONSULTING SERVICES (REFERENCE) FILE.**

Records in paper and electronic formats, including e-mail, of descriptions of services offered by various consulting engineering firms.

DISPOSITION INSTRUCTIONS: Retention of e-mail records in this series is governed by G1 of the General Schedule for State Agency Records, which requires that e-mail be retained for 10 years pursuant to Executive Order No. 18 issued July 7, 2009 by Governor Beverly Perdue. Destroy remaining records in office when reference value ends.

**ITEM 14611. READING (REFERENCE) FILE.**

Records in paper and electronic formats, including e-mail, of reference copies of section correspondence and memorandums concerning dam safety, mining, and sedimentation.

DISPOSITION INSTRUCTIONS: Retention of e-mail records in this series is governed by G1 of the General Schedule for State Agency Records, which requires that e-mail be retained for 10 years pursuant to Executive Order No. 18 issued July 7, 2009 by Governor Beverly Perdue. Destroy remaining records in office when reference value ends.

**ITEM 49699. GEOSPATIAL DATASET (ELECTRONIC) FILE**

Electronic records of multiple discrete datasets containing point locations for projects administered by all three Land Quality Section regulatory programs which consist of the dam safety, mining, and sedimentation programs. The N.C. Department of Environment and Natural Resources (DENR), Division of Land Resources, Land Quality Section creates the datasets, and is responsible for providing updates.

DISPOSITION INSTRUCTIONS: Update in office routinely. Retain in office permanently. Provide copy of datasets to Governor's Office, Office of Information Technology Services, North Carolina Center for Geographic Information and Analysis (NCCGIA). Contact the NCCGIA prior to the transfer of datasets. Destroy in office when superseded or obsolete.