

To: Kevin Callaghan, Director of Records Management  
Office of the Secretary of State

From: Patrick J. Flood, Director  
Division of Solid Waste Management (DSWM)

Copy: Lisa Hughey, DSWM Deputy Director, Central Office Operations  
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Date: August 19, 2019

Subject: **Records Disposition Authorization (RDA) Revisions**

This memo is to request authorization for revisions to RDAs that require updates in their description, to add approved forms or documents identified for permanent retention, to combine existing RDAs where applicable, or extend length of retention for categories of records listed below:

RDA 3078-Add Form CN-1497\*

RDA 3079-Toxic Substances Project files associated with the Lead-based Paint (LBP) Program indicating homes that have received LBP hazard control activities. These files require conversion to electronic media storage for permanent retention because information contained in these records is critical for enforcement and potential future litigation.

RDA 2203-Add Form CN-1497\* (Intentional duplicate)

RDA 2823, or Non-Registered Site (NRS) files, are usually complaints of illegal dumping. Sometimes these sites are corrected only to become repeat offenders. Other times, a NRS becomes a legally permitted site so that if the NRS files are destroyed, a part of the site history would be missing. These NRS files are very small in volume and will take up very little space electronically. We would like to move these files under RDA 2202 with the rest of the Solid Waste files. Because NRS files are the only documents under RDA 2823, it would no longer be needed and can therefore be retired.

RDA 2202-captures records of all landfills in the State and the current retention is 50 years after the site is closed. Some of the landfill records are nearing their 50 year retention date. As with Dickson County Landfill, other landfills may present with problems years after they are closed. Landfill records should be retained permanently via electronic storage.

RDA 2781-Cassette tapes will be converted to electronic storage media suitable for permanent retention because information stored on these cassettes may be required for enforcement cases in the future.

\*Form CN-1497 (Rev. 03-19) ELIGIBILITY VERIFICATION FOR ENTITLEMENTS ACT EVEA is used for multiple programs and must be included in multiple RDAs.

Document: Tenn. Code Ann. § 68-211-112

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**Tenn. Code Ann. § 68-211-112****Copy Citation**

Current through the 2019 Regular Session.

**TN - Tennessee Code Annotated Title 68 Health, Safety and Environmental Protection Environmental Protection Chapter 211 Solid Waste Disposal Part 1 Tennessee Solid Waste Disposal Act**

**68-211-112. Orders for correction -- Preliminary conference with alleged violator.**

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When the commissioner finds, upon investigation, that any provisions of this part are not being carried out, and that effective measures are not being taken to comply with this part, the commissioner may issue an order for correction to the responsible person, and this order shall be complied with within the time limit specified in the order. Such order shall be made by personal service or shall be sent by registered mail. Investigations made in accordance with this section may be made on the initiative of the commissioner. Prior to the issuance of any order or the execution of any other enforcement action, the commissioner may request the presence of an alleged violator of this part at a meeting of the staff of the division of solid waste management to show cause why enforcement action ought not to be taken by the department.

**History**

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Acts 1969, ch. 295, § 12; 1980, ch. 662, § 4; T.C.A., §§ 53-4312, 68-31-112.

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