

<b>REQUEST FOR RECORDS DISPOSITION AUTHORITY</b>		NI-433-06-4	
To NATIONAL ARCHIVES and RECORDS ADMINISTRATION (NARA), WASHINGTON, DC 20408		DATE RECEIVED 12-26-2005	
1 FROM (Agency or establishment) U S. Department of Labor		NOTIFICATION TO AGENCY  In accordance with the provisions of 44 U S C 3303a, the disposition request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10	
2 MAJOR SUBDIVISION Mine Safety and Health Administration (MSHA)			
3 MINOR SUBDIVISION Administration and Management			
4 NAME OF PERSON WITH WHOM TO CONFER Darlene Green	5 TELEPHONE 202-693-9823	DATE 12/14/10	ARCHIVIST OF THE UNITED STATES WITHDRAWN
6 AGENCY CERTIFICATION I hereby certify that I am authorized to act for this agency in matters pertaining to the disposition of its records and that the records proposed for disposal on the attached <u>24</u> page(s) are not now needed for the business of this agency or will not be needed after the retention periods specified, and that written concurrence from the General Accounting Office, under the provisions of Title 8 of the GAO manual for Guidance of Federal Agencies,  <input checked="" type="checkbox"/> is not required, <input type="checkbox"/> is attached, or <input type="checkbox"/> has been requested			
DATE December 20, 2005	SIGNATURE OF AGENCY REPRESENTATIVE John Saracco	TITLE DOL Records Officer	
7 Item No	8 DESCRIPTION OF ITEM AND PROPOSED DISPOSITION	9 GRS OR SUPERSEDED JOB CITATION	10 ACTION TAKEN (NARA USE ONLY)
	<p>Mine Safety and Health Administration (MSHA) Program Areas.</p> <ol style="list-style-type: none"> <li>1. Directorate of Administration and Management</li> <li>2. Directorate of Educational Policy and Development</li> <li>3. Directorate of Program Evaluation and Information Resources</li> <li>4. Office of Assessments</li> <li>5. Office of Employee Safety and Health</li> <li>6. Office of Standards and Regulations</li> <li>7. Public Education and Outreach Services</li> </ol> <p>This Request supersedes NC1-433-81-1, Items 1, 2, 10, 19, 26, 35, 38, and 41, supersedes NC1-433-85-1, Item 6, and adds five new items</p>		

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1. **GENERAL CORRESPONDENCE FILES** (arranged according to an alpha-

numeric filing system). Files contain correspondence (letters, memoranda, e-mail messages, telephone calls), reports, forms, and related documents created or received during the performance of agency functions, EXCLUSIVE OF RECORDS SCHEDULED UNDER A SEPARATE SF 115 AUTHORITY OR A GENERAL RECORDS SCHEDULE. Break files annually.

**A. Headquarters Correspondence**

1) Headquarters Correspondence concerning policymaking, executive direction, staff assistance, program management, and relationships with Congress, DOL and other government agencies, industry, and the public.

PERMANENT. Cut off records at the end of calendar year. Transfer to FRC 3 years after cut off. Retire to NARA when records are 10 years old.

2) Headquarters Correspondence concerning repetitive or routine transactions and matters and other purely facilitative functions.

Temporary. Destroy 3 years at end of calendar year.

**B. Field Facility Correspondence**. Temporary. Destroy 3 years at end of calendar year.

**C. Convenience Copies**. Temporary. Destroy when no long needed for administrative purposes.

**Supersedes NC1-433-81-1, Item 1.**

**2. Mine Safety and Health Administration (MSHA) Directives Files.**

MSHA directives consist of two manuals (the Program Policy Manual and the Administrative Policy and Procedures Manual), their updates, and related policy letters; procedural handbooks, updates, and related procedure instruction letters; and information bulletins. Directives are numbered and arranged by type and calendar year as follows: an alpha designation for the type of directive (P for program; A for administrative; I for procedure instruction), followed by two digits for the year of issuance, a roman numeral indicating the volume of the administrative or program manual it relates to, and a number indicating its sequence in that calendar year (exception: an information bulletin does not contain a roman numeral as it does not relate to a manual) Program directives provide enforcement-related guidance to MSHA employees and the mining community; administrative directives provide administrative guidance to MSHA employees only.

The Records Management Group in the Directorate of Program Evaluation and Information Resources maintains the record set (signed document and DL 1-441) and formal review copies of all

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directives. Working papers are retained by the originating office (see No. 13 of this Request).

This series includes directives dated July 1988 to present. Prior to July 1988, directives were scheduled under NC1-433-81-1, Item 1, General Correspondence.

**Directives Record Set.** Signed copy of the document and the Official File Copy (DL 1-441) with concurrences.

**Program Directives**

1. Program Policy Manual, updates, and program policy letters provide policy relating to MSHA enforcement activities (i.e., inspection activities).

Cut off file at end of calendar year.

Volume currently on hand: 5 cu feet.  
Annual Accumulation: ~ cu foot.

- a) Recordkeeping copy: **PERMANENT**. Transfer to ERG 5 years after issuance or when Manual is superseded, whichever is earlier. Offer to National Archives in 5-year blocks 20 years after cutoff (e.g., transfer 1988-1992 block in 2013).
- b) Electronic copies created on word processing systems:
  - i. Copies maintained for revising and updating: Delete when revision or updating is completed.
  - ii. Copies maintained electronically to facilitate access by staff and the public: Delete when superseded or canceled.
  - iii. Other electronic copies: Delete after record-keeping copy and access copies have been produced.

2. Program procedure handbooks, handbook updates, and related procedure instruction letters provide procedures for MSHA enforcement personnel (i.e., mine inspectors).

Cut off file at end of calendar year.

Volume currently on hand: 8 cu feet.  
Annual Accumulation: 1/2 cu foot.

- a) Recordkeeping copy: **PERMANENT**. Transfer to ERG 5 years after issuance, or when canceled or superseded, whichever is earlier. Offer to

National Archives in 5-year blocks 20 years after cutoff (e.g., transfer 1988-1992 block in 2013).

- b) Electronic copies created on email and word processing systems:
  - i. Copies maintained for revising and updating: Delete when revision or updating is completed.
  - ii. Copies maintained electronically to facilitate access by staff and the public: Delete when superseded or canceled.
  - iii. Other electronic copies: Delete after record-keeping copy and access copies have been produced.

- 3. Program information bulletins provide enforcement-related information or announcements of interest to MSHA employees and the mining industry.

Cut off file at end of calendar year.

- a) Recordkeeping copy: **TEMPORARY**. Destroy 5 years after issuance.
- b) Electronic copies created on word processing systems:
  - i. Copies maintained electronically to facilitate access by staff and the public: Delete when obsolete.
  - ii. Other electronic copies: Delete after record-keeping copy and access copies have been produced.

#### **Administrative Directives**

- 4. Administrative Policy and Procedures Manual Volume I, Volume I updates and Volume I administrative policy letters provide policy and procedure relating to organization and delegations of authority.

Cut off file at end of calendar year.

Volume currently on hand: 2 cu feet.  
Annual Accumulation: 1/6 cu foot.

- a) Recordkeeping copy: **PERMANENT**. Transfer to ERG 5 years after issuance or when Manual is superseded, whichever is earlier. Offer to National Archives in 5-year blocks 20 years after cutoff (e.g.,

transfer 1988-1992 block in 2013)

- b) Electronic copies created on email and word processing systems:
  - i. Copies maintained for revising and updating: Delete when revision or updating is completed.
  - ii. Copies maintained electronically to facilitate access by staff and the public: Delete when superseded or canceled.
  - iii. Other electronic copies: Delete after record-keeping copy and access copies have been produced.

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5. Administrative Policy and Procedures Manual Volumes II through VI, updates, and administrative policy letters provide policy and procedure relating to the administrative management of MSHA.

Cut off file at end of calendar year.

Volume currently on hand: 4 cu feet.

Annual Accumulation: 1/6 cu foot.

- a) Recordkeeping copy: **TEMPORARY**. Transfer to ERG 5 years after issuance or when Manual is superseded, whichever is earlier. Destroy 20 years after issue.
- b) Electronic copies created on email and word processing systems:
- i. Copies maintained for revising and updating: Delete when revision or updating is completed.
  - ii. Copies maintained electronically to facilitate access by staff and the public: Delete when superseded or canceled.
  - iii. Other electronic copies: Delete after record-keeping copy and access copies have been produced.
6. Administrative handbooks and handbook updates provide administrative procedure too lengthy to be included in the APPM.
- a) Recordkeeping copy: **TEMPORARY**. Destroy one year after canceled or superseded.
- b) Electronic copies created on email and word processing systems:
- i. Copies maintained for revising and updating: Delete when revision or updating is completed.

- ii. Copies maintained electronically to facilitate access by staff and the public: Delete when superseded or canceled.
- iii. Other electronic copies: Delete after record-keeping copy and access copies have been produced.

7. Administrative information bulletins provide administrative information for MSHA employees.

Cut off file at end of calendar year.

- a) Recordkeeping copy: **TEMPORARY**. Destroy 3 years after cut-off.
- b) Electronic copies created on email and word processing systems:
  - i. Copies maintained electronically to facilitate access by staff: Delete when obsolete.
  - ii. Other electronic copies: Delete after record-keeping copy and access copies have been produced.

**Directives Supporting Files**. Formal review copies, with comments and questions, and related miscellaneous papers. The formal review process is conducted after the originating office develops the directive. The originating office sends a draft of the directive to each office that has a direct interest in the subject or is an authority on the subject. Comments and questions are submitted to the originating office and must be resolved prior to issuance of the directive. After final signature of the directive, these formal review copies are sent to the Records Management Group in PEIR for appropriate retention and forwarding to the FRC.

**Program Directives**

8. Supporting files related to Program Policy Manual updates and program policy letters.

Cut off file at end of calendar year.

- a) Recordkeeping copy: **TEMPORARY**. Transfer to ERG 5 years after date of issuance or when Program Policy Manual is superseded, whichever is earlier. Destroy when 20 years old.
  - b) Electronic copies created on email and word processing systems: Delete after recordkeeping copy has been produced.
9. Supporting files related to program procedure handbooks, handbook updates, and procedure instruction letters.

Cut off file at end of calendar year.

- a) Recordkeeping copy: **TEMPORARY**. Transfer to ERG 5 years after date of issuance or when canceled or superseded, whichever is earlier. Destroy when 20 years old.
  - b) Electronic copies created on email word processing systems: Delete after recordkeeping copy has been produced.
10. Supporting files related to program information bulletins.

Cut off file at end of calendar year.

- a) Recordkeeping copy: **TEMPORARY**. Destroy 5 years after issuance.
- b) Electronic copies created on email and word processing systems: Delete after recordkeeping copy has been produced.

**Administrative Directives**

11. Supporting files related to Volume I of the Administrative Policy and Procedures Manual, its updates, and related policy letters.

Cut off file at end of calendar year.

- a) Recordkeeping copy: **TEMPORARY**. Transfer to ERG 5 years after issuance or when manual is superseded, whichever is earlier. Destroy when 20 years old.
- b) Electronic copies created on email and word processing systems: Delete after recordkeeping copy has been produced.

12. Files related to other administrative directives (consisting of Volumes II through VI of the APPM, their updates and related policy letters; handbooks; and information bulletins)

Cut off file at end of calendar year.

- a) Recordkeeping copy: **TEMPORARY**. Destroy 5 years after date of issuance.
- b) Electronic copies created on email and word processing systems: Delete after recordkeeping copy has been produced.

**Originating Office Supporting Files.**

13. Files created by the originating office while developing the formal review document.

- a) Recordkeeping copy: **TEMPORARY**. Destroy when directive is issued.
- b) Electronic copies created on email and word processing systems: Delete after recordkeeping copy has been produced.

**Reference Copies of Directives.**

14. Copies kept only for reference.

**TEMPORARY**. Destroy when no longer needed.

**Supersedes N1-433-00-1.**

**3. SUPERVISOR'S RECORD OF EMPLOYEE.** Contains records on current MSHA employees and persons employed within the past year. Records consist of: (a) emergency address information; (b) record of personnel action; (c) record of employee/supervisor discussions; and (d) supervisory copies of officially recommended actions, such as: personnel actions, awards, disciplinary actions, and training requests.

DISPOSITION:

**Temporary.** Destroy 1 year after termination or Retire of employee.

**Supersedes NC1-433-81-1, Item 41.**

**4. CONTRACT/GRANT ADMINISTRATIVE FILES.** The Federal Mine Safety and Health Act of 1977 (Mine Act) authorizes the Secretary of Labor to make grants to states in which mining takes place. Grant funds may be used to assist the states in developing and enforcing health and safety laws and regulations consistent with the provisions of section 503 of the Mine Act and to improve state workers' compensation and occupational disease laws and programs related to mining. Funds may also be used to promote effective Federal/State coordination and cooperation in mine safety and health, primarily through the development and support of safety and health training programs for miners and State mine inspection personnel.

Case files contain grant applications, award documents, grant administration documents, and paying office grant files -- including quarterly/ annual technical and financial reports.

Cut off files after final financial report is verified.

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Volume accumulated to date: 10 cubic feet.  
Estimated annual accumulation: 3 cubic feet.  
DISPOSITION:

- A. **Case Files:** If no unresolved issues exist or are anticipate. **Temporary.** Cutoff files after financial report is verified. Destroy 3 years after cut-off.
- B. If unresolved issues exist or are anticipate. **Temporary.** Cut-off files after financial report is verified. Destroy 3 years after verification.

**5. INTERNAL REVIEW FILES.** Contain reports and background information relating to MSHA's action at a mine that has experienced an accident resulting in three or more fatalities or where the Assistant Secretary deems appropriate. Files may contain copies of Agency directives, the Accident Investigation report, inspection reports, training plans, ventilation and roof control plans, mine maps, mine emergency plans, accountability reviews, and assessment information. (Records are maintained by the Directorate of Program Evaluation and Information Resources.)

Volume accumulated to date: 81 cubic feet.  
Estimated annual accumulation: 9 cubic feet.  
DISPOSITION:

**PERMANENT.** Close file after review is complete. Retire to FRC 7 years after close-out. Transfer to NARA 10 years after close-out.

**6. PHYSICAL TRAUMA ACCIDENT AND INJURY RECORDS.** These Human Resources Records contain forms, reports, correspondence, and related material and investigatory records relating to on-the-job injuries associated with physical trauma, whether or not a claim was filed, EXCLUDING copies filed in the Employee Medical Folder and copies submitted to the Department of Labor. Cut off file on termination of compensation or when the deadline for filing a claim has passed.

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Files are maintained by the appropriate district office or the Headquarters Management Office.

DISPOSITION:

**Temporary.** MSHA's HRD will retain records for 30 years after cut-off or deadline. Destroy thereafter.

**Supersedes NC1-433-81-1, Item 38. GRS 1, Item 31**

**7. CHEMICAL AND HAZARDOUS AGENTS ACCIDENT, INJURY, AND ILLNESS RECORDS.** Records contain forms, reports, correspondence, and related material and investigatory records relating to on-the-job injuries and illnesses associated with chemicals or hazardous agents, whether or not a claim was filed, EXCLUDING copies filed in the Employee Medical Folder and copies submitted to the Department of Labor. Cut off file on termination of compensation or when the deadline for filing a claim has passed.

Files are maintained by the appropriate district office or the Headquarters Management Office.

DISPOSITION:

**Temporary.** MSHA's HRD will retain records for 30 years after cut-off or deadline. Destroy thereafter.

**Supersedes NC1-433-81-1, Item 38.**

**8. CHEMICAL AND HAZARDOUS AGENTS EXPOSURE ASSESSMENT RECORDS.** Records contain forms, reports, correspondence, and related material and investigatory records relating to on-the-job exposure assessments associated with chemicals or hazardous agents, EXCLUDING copies filed in the Employee Medical Folder and copies submitted to the Department of Labor. Break files annually.

Files are maintained by the appropriate district office or the Headquarters Management Office.

DISPOSITION:

**Temporary.** MSHA's HRD will retain records for 30 years after cut-off or deadline. Destroy thereafter.

**Supersedes NC1-433-81-1, Item 38. GRS 1, Item 31**

**9. ASSESSMENT CASE FILES.** Files arranged by a case number that is assigned by the office assessing penalties for violations of the Coal Mine Health and Safety Act of 1969 and the Mine Safety and Health Act of 1977. Contains notices, mine operator's protests, petitions for adjudication, correspondence, and related material.

The assessment case files also contain copies of notices of violations issued on mine operations, abatements, and termination notices. The original records (notices, abatements, and similar documents) are retained by the issuing office. This material is needed as background, and should be treated as part of the case file with respect to transfer and retention.

DISPOSITION:

**Temporary.** Transfer to FARC when case is closed. Destroy 10 years after the case is closed.

**Supersedes NC1-433-81-1, Item 12.**

**10. OFFICE OF STANDARDS AND REGULATIONS.** Files on mandatory health and safety standards and regulations for mines; for each standard or group of standards. (Files are maintained by the Directorate of Standards, Regulations and Variances.)

**A. Public Hearings.** Includes requests, notices of hearings, transcripts, and written statements.

**PERMANENT.** Retire to FRC 3 years after file is cut off. Transfer to NARA 10 years after cut-off.

**B. Final Rule.** Includes corrections and interpretations.

**PERMANENT.** Retire to FRC 3 years after file is cut off. Transfer to NARA 10 years after cut-off.

**C. Background Information.** Includes concept paper and comments received prior to rulemaking.

**Temporary.** Retire to FRC 3 years after file is cut off. Destroy 10 years after cut-off.

**Advance Notice of Proposed Rulemaking (ANPRM).** This document is a preproposal draft. It usually consists of a background and/or

discussion, and a series of questions that the Agency seeks further information on. The ANPRM will extend a request for public comment and suggestions on how the agency should address a particular problem, either via a proposed rule or other non-regulatory alternatives.

The preproposal does not contain "regulatory text." It places no requirement on the mining community. Hearings may be held to get further input. Following the public comment period and or public hearings, the Agency will use the comments, information and data received to determine the next step, possibly a notice of proposed rulemaking, to address the issues.

**Temporary.** Retire to FRC 3 years after file is cut off.  
Destroy 10 years after cut-off.

- E. Advisory Committee.** The Federal Advisory Committee Act regulates the formation and operation of advisory committees by federal agencies. GSA has authority for guiding and coordinating the administration of the Act, and has issued regulations for agencies on management of advisory committees. Each advisory committee must have a clearly defined purpose, and its membership must be fairly balanced in terms of the points of view represented and the functions to be performed. Meetings of the advisory committees must be open to public observation. Advisory committees can play an important role in federal agency rulemaking. These committees, normally comprised of experts in the regulatory field, representatives of affected interested groups, and federal and state agencies, typically advised agencies on the advisability or content of rulemaking. Before the committees's charter (duration) expires, the committee will present their final recommendations in a report. The Agency must act on these recommendations in 180 days after the report is issued, or publish a notice in the Federal Register as to why they choose not to act.

**Temporary.** Retire to FRC 3 years after file is cut off.  
Destroy 10 years after cut-off.

**Regulatory Analysis.** Regulatory analysis and review requirements derive from several different statutes and executive orders. In particular: Executive Order 12866 requires agencies to prepare an analysis to determine the potential costs and benefits of proposed and final rules; the Paperwork Reduction Act requires an agency to justify the burdens imposed by information collection requirements; and the Regulatory Flexibility Act requires the agency to describe in detail the expected impact of the rule on small entities. Additionally, other statutes and executive orders addressing the following issues may also be address in the proposed or final rule: unfunded mandates, governmental actions and interference with

constitutionally Protected Property Rights, civil justice, protection of children from environmental health risks and safety risks, consultation and coordination with Indian tribal governments, federalism and energy.

**Temporary.** Retire to FRC 3 years after file is cut off.  
Destroy 10 years after cut-off.

- G. Environmental Impact Analysis.** The National Environmental Policy Act (NEPA) of 1969 requires each Federal agency to consider the environmental effects of final actions and to prepare an Environmental Impact Statement on major actions significantly affecting the quality of the environment. MSHA reviews the final rule in accordance with NEPA requirements (42 U.S.C. 4321 *et. seq.*), the regulations of the Council of Environmental Quality (40 CFR Part 1500), and the Department of Labor's NEPA procedures (29 CFR Part 11). As a result of this review, MSHA will determine if the final rule has a significant environmental impact. Normally, MSHA's rules do not have a significant environmental impact and as such an Environmental Impact Statement is not required.

**Temporary.** Retire to FRC 3 years after file is cut off.  
Destroy 10 years after cut-off.

**H. Notice of Proposed Rulemaking (NPRM).** A notice of proposed rulemaking is a document in which the Agency proposes new or revised regulatory requirements on the mining community. The NPRM consists of a preamble which includes background, history, findings, a section-by-section discussion of the proposed rule requirements, and a summary of the costs and benefits of the regulatory requirements. Agencies are required to allow the public a notice-and-comment period. Public hearings are held and after the record closes the Agency will use the comments, information and data received during the open comment period to draft a final rule.

**Temporary.** Retire to FRC 3 years after file is cut off.  
Destroy 10 years after cut-off.

**I. Litigation.** Includes all material related to litigation of subject standard or regulation through final rule.

**Temporary.** Retire to FRC 3 years after file is cut off.  
Destroy 10 years after cut-off.

**Supersedes NC1-433-81-1, Item 10.**

**11. Freedom of Information Act and Privacy Act (FOIA).** This schedule covers certain records pertaining to day-to-day affairs and in their relations with the public. These records consist of inquiries, and related correspondence; in the case of FOIA, Privacy Act, and mandatory declassification files, appeals and other records; administrative background files for formal information releases, and records relating to inappropriate release of privileged information.

1. Information Requests Files. Requests for information and copies of replies thereto, involving no administrative actions, no policy decisions, and no special compilations or research and requests for and transmittals of publications, photographs, and other information literature.

**Temporary.** Destroy when 3 months old.

2. FOIA Requests Files. Files created in response to requests for information under the FOIA, consisting of the original request, a copy of the reply thereto, and all related supporting files which may include the official file copy of requested record or copy thereof.

a. Correspondence and supporting documents (EXCLUDING the official file copy of the records requested if filed herein).

(1) Granting access to all the requested records.

**Temporary.** Destroy 2 years after date of reply.

(2) Responding to requests for nonexistent records; to requesters who provide inadequate descriptions; and to those who fail to pay agency reproduction fees.

(a) Request not appealed.

**Temporary.** Destroy 2 years after date of reply.

(b) Request appealed.

**Temporary.** Destroy as authorized under Item 12.

(3) Denying access to all or part of the records requested.

(a) Request not appealed.

**Temporary.** Destroy 6 years after date of reply.

(b) Request appealed.

**Temporary.** Destroy as authorized under Item 12.

b. Official file copy of requested records.

Dispose of in accordance with approved agency disposition instructions for the related records or with the related FOIA request, whichever is later.

3. FOIA Appeals Files.

Files created in responding to administrative appeals under the FOIA for release of information denied by the agency, consisting of the appellant's letter, a copy of the reply thereto, and related supporting documents, which may include the official file copy of records under appeal or copy thereof.

a. Correspondence and supporting documents (EXCLUDING the file copy of the records under appeal if filed herein).

**Temporary.** Destroy 6 years after final determination by agency, 6 years after the time at which a requester could file suit, or 3 years after final adjudication by the courts, whichever is later.

- b. Official file copy of records under appeal.

**Temporary.** Dispose of in accordance with approved agency disposition instructions for the related record or with the related FOIA request, whichever is later.

4. FOIA Control Files.

Files maintained for control purposes in responding to requests, including registers and similar records listing date, nature, and purpose of request and name and address of requester.

- a. Registers or listing.

**Temporary.** Destroy 6 years after date of last entry.

- b. Other files.

**Temporary.** Destroy 6 years after final action by the agency or after final adjudication by courts, whichever is later.

5. Privacy Act Requests Files.

Files created in response to requests from individuals to gain access to their records or to any information in the records pertaining to them, as provided for under 5 U.S.C. 552a(d)(1). Files contain original request, copy of reply thereto, and all related supporting documents, which may include the official file copy of records requested or copy thereof.

- a. Correspondence and supporting documents (EXCLUDING the official file copy of the records requested if filed herein).

(1) Granting access to all the requested records.

**Temporary.** Destroy 2 years after date of reply.

(2) Responding to requests for nonexistent records; to requesters who provide inadequate descriptions; and to those who fail to pay agency reproduction fees.

- (a) Requests not appealed.

**Temporary.** Destroy 2 years after date of reply.

- (b) Requests appealed.

**Temporary.** Destroy as authorized under Item 22.

(3) Denying access to all or part of the records requested.

(a) Requests not appealed.

**Temporary.** Destroy 5 years after date of reply.

(b) Requests appealed.

**Temporary.** Destroy as authorized under Item 22.

b. Official file copy of requested records.

Dispose of in accordance with approved agency disposition instructions for the related records or with the related Privacy Act request, whichever is later.

**GRS, 14 Transmittal No. 8**

**12. EDUCATION AND TRAINING PRODUCT MASTER FILES.** The National Mine Health and Safety Academy is responsible for the training of mine safety and health inspectors, mine technical support staff, and other government and industry personnel. The Academy uses the instructional aids described below to carry out its responsibilities.

**A. Motion Pictures and Video Recordings** (arranged by format and alphabetically there-under by title).

1) **Motion picture films:** a sound projection print of each film, plus the original negative or color original, separate optical sound track, intermediate master positive or duplicative negative, and optical sound track, if available. Video copies may be substituted if an original film is unavailable.

**PERMANENT.** Transfer to NARA when 10 years old or when no longer needed for administrative use, whichever is sooner.

2) **Video recordings:** the earliest generation available for each original video production, plus an additional copy.

**PERMANENT.** Transfer to NARA when 10 years old or when no longer needed for administrative use, whichever is sooner.

- B. Photographic Material** (arranged by format and there-under by sequence within individual products). The original negative and a captioned print for each black and white photograph; and the original color transparency or color negative, a captioned print, and an internegative (if one exists) for each color photograph.

**PERMANENT.** Transfer to NARA when 5 years old or when no longer needed for administrative use, whichever is sooner.

- C. Slide-Tape Shows** (arranged by product title).

- 1) Slides: the earliest generation available for all slides in each product, plus an additional copy.

**PERMANENT.** Transfer to NARA when 5 years old or when no longer needed for administrative use, whichever is sooner.

- 2) Audio recordings: the earliest generation available for each magnetic audio tape recording, plus an additional copy.

**PERMANENT.** Transfer to NARA when 5 years old or when no longer needed for administrative use, whichever is sooner.

- D. Publications - Record Set** (arranged by product category and alphabetically thereunder by title). One copy of each publication.

**PERMANENT.** Break file annually. Transfer to NARA in 10-year blocks when the most recent record is 10 years old (i.e., 1986-1995 to be transferred in 2006).

**Supersedes NC1-433-85-1, Item 6.**

**13. PUBLICATIONS (EXCLUDING EDUCATION AND TRAINING PRODUCTS WHICH ARE SCHEDULED SEPARATELY).** Most MSHA offices publish documents (such as brochures, information cards, manuscripts and booklets), although the format and content vary and their release may be periodic or intermittent. Manuscripts will generally include: informational reports, instruction guides, safety reviews, annual reports, safety manuals, health and safety reports. Immediately after publication, a copy is transferred to the Mine Health and Safety Academy Library and retained for 100 years.

**Record set. PERMANENT.** Break file annually. Retire to FRC 3 years after break. Transfer to NARA in 10-year blocks when the most recent record is 10 years old (i.e., 1986 - 1995 to be transferred in 2006).

**Supersedes NCI-433-81-1, Item 26.**

**14. PUBLIC EDUCATION AND OUTREACH SERVICES (PEOS).** The following records are maintained by PEOS.

**A. Public Affairs Product File** (arranged by type of product and chronologically within each type). Includes: (1) press releases, (2) speeches given by the Assistant Secretary or other officials on subjects dealing with MSHA programs, (3) articles authored by MSHA officials that have been published in outside periodicals, and (4) posters, booklets, annual reports, special reports, fact sheets, press kits, public service announcements, stickers, and other OIPA materials, unless otherwise specified in this schedule. Break file annually.

- 1) Record copy. **PERMANENT.** Retire to FRC 3 years after break. Transfer to NARA in 10 year blocks when most recent records in block is 10 years old (i.e., 1973-82 to be offered in 1992).
- 2) Electronic Copies Created on E-Mail and Word Processing Systems. **Temporary.** Delete when record copy has been produced.
- 3) All other copies. **Temporary.** Destroy when no longer needed for reference; OR in the case of materials with potential historic significance, offer to the National Mine Health and Safety Academy for its historical collection.

**B. Released Material File.** Selected material that is released in response to requests from the media and the public. Material is retained for a relatively short period, in case questions or concerns arise about what has been provided to a requester, and to facilitate response to similar requests that may shortly follow as often happens with media issues. Does not include material that is part of a formal FOIA response or a reply to regular correspondence; does not include publications or material available on MSHA's Web site. Break file monthly.

**Temporary.** Destroy 1 year after break.

**C. News Clip File.** News articles on MSHA-related subjects that have been compiled by OIPA for use by the Assistant

Secretary and other MSHA officials; may include print media, audio and video clips. Break file annually.

Total accumulation to date: 20 cubic feet.  
Estimated annual accumulation: 8 cubic feet.

**Temporary.**

- 1) Paper copies of print news clips. Destroy 3 years after break. Destroy any items not transferred to MSHA.
- 2) Electronic copies of print news clips. Offer to National Mine Health and Safety Academy (NMHSA) for its historical collection 15 years after break. Destroy any items not transferred to MSHA.
- 3) Video and audio news clips. Offer to National Mine Health and Safety Academy for its historical collection 10 years after break.

**D. Public Affairs Issue File** (arranged alphabetically by subject; files relating to major mine disasters are separate, but also arranged alphabetically). Files include background materials on a wide variety of mine safety and health subjects of continuing and recurring public concern and are maintained primarily for the convenience of OIPA staff. File is reviewed and purged on a scheduled basis; half of the file is reviewed each year, so that the entire file is reviewed every two years.

**Temporary.** During scheduled review, discard material not expected to be of further use; offer selected material of historical interest to the National Mine Health and Safety Academy for its historical collection. Destroy any items not transferred to MSHA.

**Supersedes NC1-433-81-1, Item 2.**

**15. OFFICE OF ASSESSMENTS, LEGAL IDENTITY REPORT (MSHA FORM 2000-7).**  
The Mine Act requires mine operators to submit this form for each mine and to submit changes as they occur. A copy is kept in the district office as long as the mine is in operation.

DISPOSITION:

**Temporary.** The official copy of the reports is maintained by Assessments' Wilkes-Barre Center for 3 years after the mine is placed in an "abandoned" status. Then the report for the abandoned mines is transferred to the National Mine Safety and Health Academy.

**Supersedes portions of NC1-433-81-1, Item 19.**

**16. OFFICE OF EMPLOYEE SAFETY AND HEALTH ACCIDENT INVESTIGATION FILES.** The following records are maintained by (OES&H).

Records containing accident investigative information pertaining to any accident or injury incurred by an employee of MSHA.

**Temporary.** Cut off files annually. Files will remain at the Arlington, Headquarters for 5 years. HDQRTS will retire copies to the FRC after the 5 years. Destroy when 10 years old.

**Supersedes: NC1-433-81-1, Item 38. GRS 1, Item 31**

**17. Word Processing and Electronic Mail/Spreadsheets. Temporary.**

DISPOSITION:

- A. Copies that have no further administrative value after the recordkeeping copy is made. Includes copies maintained by individuals in personal files, personal electronic mail directories, or other personal directories on hard disk or network drives, and copies on shared network drives that are used only to produce the recordkeeping copy.

Delete within 180 days after the recordkeeping copy has produced.

- B. Copies used for dissemination, revision, or updating that are maintained in addition to the recordkeeping copy.

Delete when dissemination, revision, or updating is complete.

- C. Electronic spreadsheets generated to support administrative functions or generated by an individual as background materials or feeder reports.

When used to produce hard copy that is maintained in organized files.

Delete when no longer needed to update or produce hard copy.