

REQUEST FOR RECORDS DISPOSITION AUTHORITY		N1-433-12-03	
To: NATIONAL ARCHIVES and RECORDS ADMINISTRATION (NARA) WASHINGTON, DC 20408		DATE RECEIVED <i>7/30/12</i>	
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request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10.	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 <i>7/26/2012</i>	ARCHIVIST OF THE UNITED STATES <i>WITHDRAWN</i>
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>9</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 <i>7/26/2012</i>	SIGNATURE OF AGENCY REPRESENTATIVE William Keisler <i>William Keisler</i>	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 Item No	8 DESCRIPTION OF ITEM AND PROPOSED DISPOSITION	9 GRS OR SUPERSEDED JOB CITATION	10 ACTION TAKEN (NARA USE ONLY)
	Mine Safety and Health Administration (MSHA): Metal and Nonmetal Mine Safety and Health records. This request has two new items (No. 8 & 9). See Attached.		

REQUEST FOR RECORDS DISPOSITION
AUTHORITY - CONTINUATION

Page 2 of 9

CONTENTS:

1. Metal/Nonmetal Mine Inspection Reports
2. Nonfatal Accident Files - Metal and Nonmetal Mines
3. Fatal Accident Investigation and Final Report Files
4. Petitions for Modification of Safety Standards - Metal and Nonmetal Mines
5. Metal and Nonmetal Mine Impoundment Survey Records
6. Mine Maps and Plans Associated with Metal and Nonmetal Mines
7. Part 48 Training Plans - Metal and Nonmetal Mines
8. Part 46 Training Plans - Metal and Nonmetal Mines
9. Special Investigations - Metal and Nonmetal Mines
10. Special Studies Survey Report Files
11. WordProcessing and Email Copies

1. METAL/NONMETAL MINE INSPECTION REPORTS. MSHA is required to inspect all mines and other areas relating to the mining and mineral industry. Reports of inspections are made available for public review. Reports include citations, orders, withdrawal orders, recommendations of remedial action, and other related material describing conditions in the mine such as results of samples taken by inspectors, computer generated advisory messages including notices of compliance, non-compliance, and void samples, and indicating whether there has or has not been compliance with health and safety legislation. Some reports include form letters to the mining company informing them of citations, terminations, and modifications resulting from the inspection and also the accident frequency rate of that mine compared to the accident frequency rate of the entire industry. Break files annually by calendar year.

DISPOSITION:

- A. Annual Representative Sampling. Each district office will select a typical (original) inspection report from each category below. Place the sample in a folder labeled with the identification number, name of the mine, company name, location, date of the report, inspector's name, and the number of employees.
1. Underground Mines Employing
 - a. 0 - 19 employees
 - b. 20 - 99 employees
 - c. 100+ employees
 2. Open Pit Employing
 - a. 0 - 19 employees
 - b. 20 - 99 employees
 - c. 100+ employees
 3. Crushed Stone Employing
 - a. 0 - 19 employees
 - b. 20 - 99 employees
 - c. 100+ employees
 4. Sand and Gravel Employing
 - a. 0 - 19 employees
 - b. 20 - 99 employees
 - c. 100+ employees

5. Mills Employing
 - a. 0 - 19 employees
 - b. 20 - 99 employees
 - c. 100+ employees

DISPOSITION:

PERMANENT. Submit to Records Management Branch (RMB) when 5 years old. RMB will Retire to FRC. Transfer to NARA in 10-year blocks when most recent records in block are 10 years old (i.e., 1973-82 to be transferred in 1992).

- B. Remaining Inspection Reports. Temporary. Retire to FRC 5 years after annual break (end of calendar year). Destroy when 25 years old.

Supersedes portion of NC1-433-81-1, Item 6, which relates to metal and nonmetal mines.

2. NONFATAL ACCIDENT INVESTIGATION AND FINAL REPORT FILES - METAL AND NONMETAL MINES.

- A. Accidents that result in public hearings. Arranged by date of accident. Contain reports and background information relating to investigation of significant accidents, including statements of accident causes, correspondence, public hearing of testimony, witness statements and information, and descriptions of remedial actions and MSHA involvement. The MSHA district office is responsible for investigating an accident and maintains the primary body of records relating to the investigation. Close files after investigation is completed. Break closed files annually (end of calendar year).

DISPOSITION:

PERMANENT. Submit to the Mine Academy 3 years after annual break (end of calendar year). Transfer to NARA 20 years after last annual break.

REQUEST FOR RECORDS DISPOSITION
AUTHORITY - CONTINUATION

Page 5 of 9

Anticipated annual accumulation. No more than 3 cubic feet per year.

- B. Nonfatal accidents that do not result in public hearings. Arranged by date of accident. Contain inspector's narrative report of accident (original signed formal report), correspondence, and related materials. Close file after investigation is completed. Break closed files annually (end of calendar year).

DISPOSITION:

Temporary. Retire to FRC 3 years after annual break. Destroy 10 years at the end of annual break (end of calendar year).

Supersedes portion of NCI-433-85-1, Item 1, which relates to metal and nonmetal mines.

3. Fatal Accident Report and Investigation Files (M/NM).

Files contain reports and background information relating to the investigation of fatal mine accidents, including statements of accident causes, correspondence, maps, photographs, and descriptions of remedial actions and MSHA involvement. M/NM mine deaths are investigated by the districts. M/NM accidents involving 3 or more fatal injuries are investigated by Headquarters. The MSHA unit is responsible for investigating an accident and maintains the primary body of records relating to the investigation until the investigation is completed. The record copy of the final report is included in the case file.

Annual accumulation: 22 approximately cubic feet.

Arrangement: Chronically by date of accident.

DISPOSITION:

Textual files: PERMANENT. Close files after investigation and any related litigation is completed. Break closed files annually (end of calendar year). Transfer to the Academy after the 5 year annual break. Transfer files to NARA 20 years after break.

Supersedes NCI-433-98-1

4. PETITIONS FOR MODIFICATION OF SAFETY STANDARDS - METAL AND NONMETAL MINES. (Previously called variance files.) File consists of petition, investigation report, other correspondence, etc. File is retained in district office.

DISPOSITION:

TEMPORARY. Retire to FRC 5 years after modification is no longer in effect. Destroy 20 years thereafter.

Supersedes portion of NCI-433-81-1, Item 22, which relates to metal and nonmetal mines.

5. METAL AND NONMETAL MINE IMPOUNDMENT SURVEY RECORDS. Surveys conducted by MSHA to classify impoundments according to the hazards they could pose to miners and the public in case of failure, thus enabling MSHA to prevent disasters or coordinate emergency activities if necessary. Break annually by calendar year.

DISPOSITION:

PERMANENT. Retire to FRC when 3 years old. Destroy 9 years after annual break.

Supersedes NCI 433-85-1, Item No. 8

6. MINE MAPS AND PLANS ASSOCIATED WITH METAL AND NONMETAL MINES (Arranged by mine ID). Plans include, but are not limited to, ventilation, ground control, roof control, and emergency escape ways. Originals are submitted to district office and retained there until mine is closed.

DISPOSITION:

PERMANENT. Retire to FRC in annual blocks of 5 years after mine is closed. Transfer to NARA 15 years after mine is closed.

Supersedes NCI 433-85-1, Item No. 3

7. PART 48 TRAINING PLANS - METAL AND NONMETAL MINES. Metal and nonmetal mines covered by 30 CFR 48 must have a training plan that describes how miners will be trained. (Part 48 does not apply to miners at shell dredging, sand, gravel, surface stone, surface clay, colloidal phosphate, and surface limestone mines. They are covered under 30 CFR Part 46.) Plans consist of programs for New Miner, Experienced Miner, New Task, Annual Refresher and Hazard Training. Plans are submitted to and approved by MSHA in the geographical area for which the mine is located (the Coal or Metal/Nonmetal District Office). Once a plan is approved and implemented, it may remain in effect until that mine is closed. If certain modifications are needed, revisions must be submitted to MSHA for approval. Included with the plan is correspondence such as cover letters from mine operators, approval letters from district managers, etc. The current approved plan with any revisions and related correspondence is placed in the "Mine File" in the district office.

Since March 2000, plans may be developed "online" and transmitted via Internet. The electronic file is printed and processed as a paper file.

DISPOSITION:

- A. Record Copy (Paper). Temporary. Retain in district office for 1 year after plan is superseded or after mine is closed. Retire to FRC and destroy when 29 years old.
- B. Internet Copy. Temporary. Electronic copy of Plans developed "online" and transmitted via the Internet for the operator's convenience which can be updated when needed. Destroy when record copy is produced.
- C. Computer copy. Temporary. Transfer to history file (magnetic tape or disk) for 30 years; then destroy.
- D. Convenience Copies (may be paper or computer). Temporary. Retained by inspector, training specialist, or system designer. Destroy when no longer needed for administrative purposes.

8. PART 46 TRAINING PLANS - METAL AND NONMETAL MINES. Metal and nonmetal mines covered by 30 CFR 46 are required to have a training plan that describes how miners will be trained. (Part 46 applies to the following mines: shell dredging, sand, gravel, surface stone, surface clay, colloidal phosphate, and surface limestone mines.) Plans consist of programs for New Miner, Newly Hired Experienced Miner, New Task, Annual Refresher, and Site-Specific Hazard Awareness training. Plans are considered approved by MSHA if they meet the minimum requirements of 30 CFR 46.3(b)(1) through (b)(5); or they may be voluntarily submitted in writing to and approved by the appropriate Educational Field Services (EFS) Regional Manager, Educational Policy and Development. Once a plan is approved and implemented, it may remain in effect until the mine is closed. If the plan is revised, the operator is not required to submit it to MSHA for approval but may do so voluntarily. Included with the plan is correspondence, such as cover letters from mine operators, approval letters from regional managers, etc. Plans that have been submitted to MSHA are kept in the EFS office, along with any revisions and related correspondence.

Since October 2000, plans may be developed "online" and transmitted via Internet. The electronic file is printed and processed as a paper file.

DISPOSITION:

- A. Record Copy (Paper). Temporary. Retain in EFS office for 1 year after plan is superseded or after mine is closed. Retire to FRC and destroy when 29 years old.
- B. Internet Copy. Temporary. Electronic copy of Plans developed "online" and transmitted via the Internet for the operator's convenience which can be updated when needed. Destroy when record copy is produced.
- C. Computer copy. Temporary. Transfer to history file (magnetic tape or disk) for 30 years; then destroy.
- D. Convenience Copies (may be paper or computer). Temporary. Retained by inspector, training specialist, district office, or system designer. Destroy when no longer needed for administrative purposes.

9. Special Investigations. Metal/Nonmetal Mine Safety and Health District Managers are tasked with directing special investigations that pertain to alleged violations of health and safety standards and discrimination complaints against individuals who report alleged violations. This series consists of investigation case files that pertain to individuals alleged to have committed knowing and willful violations or have information about knowing willful violations, and or information of alleged discrimination against persons having filed or made a complaint of an alleged danger, safety, or health violation.

DISPOSITION:

- A. Cases involving health issues. Temporary. Retire to FRC when 3 years old. Destroy when 20 years old.
- B. Cases not involving health issues. Temporary. Retire to FRC when 3 years old. Destroy when 15 years old.

Supersedes NC1-433-94-2, Item 1 and NCI-433-81-1, Item 14.

10. Special Studies Survey Report Files. Arranged alphabetically by mine/number. Special studies requested of a mine operator, health and safety inspector, or another agency on some specific problem within a mine, or relating to mine operations. Files contain final reports, field notes, correspondence, draft reports, and related material.

DISPOSITION:

PERMANENT. Retire to FRC in annual blocks of 5 years (close file at end of calendar year).
Transfer to NARA when 15 years old.

Supersedes NC1-433-85-1, Item 4