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| <b>REQUEST FOR RECORDS DISPOSITION AUTHORITY</b>   |   | JOB NUMBER<br><b>N1-399-08-08</b>  |  |
| TO NATIONAL ARCHIVES AND RECORDS ADMINISTRATION<br>8601 ADELPHI ROAD, COLLEGE PARK, MD 20740-6001  |   | Date received<br><b>3-23-08</b>  |  |
| 1 FROM (Agency or establishment)<br>U S Department of Transportation   |   | NOTIFICATION TO AGENCY<br><br>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request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10 |  |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<br>Federal Railroad Administration   |   |  |  |
| 3 MINOR SUBDIVISION  |   |  |  |
| 4 NAME OF PERSON WITH WHOM TO CONFER<br>Kim Toone  | 1 TELEPHONE NUMBER<br>(202) 493-6132  | DATE<br><i>Apr 11</i>  | ARCHIVIST OF THE UNITED STATES<br><i>[Signature]</i> |
| <b>2. AGENCY CERTIFICATION</b><br>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>  2  </u> page(s) are not needed now for the business for 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,<br><input checked="" type="checkbox"/> is not required <input type="checkbox"/> is attached, or <input type="checkbox"/> has been requested |   |  |  |
| DATE<br><i>11/1/11</i>   | SIGNATURE OF AGENCY REPRESENTATIVE<br><i>Kim Toone</i>  |  | TITLE<br>Records Officer                             |
| 7 ITEM NO  | 8 DESCRIPTION OF ITEM AND PROPOSED DISPOSITION  | 9 GRS OR SUPERSEDED JOB CITATION   | 10 ACTION TAKEN (NARA USE ONLY)                      |
| 1  | <b>Railroad Enforcement System (RES)</b><br><br>The Railroad Enforcement System (RES) {formerly Enforcement Case System} is used for railroad safety enforcement and Office of Chief Counsel's (RCC) tracking purposes. Information related to a safety violation is extracted from a violation report filed by an inspector and entered into RES. Field and RCC personnel can then use RES to access, track, maintain, and edit this information as needed. RES will maintain all information related to a violation from the time it is entered into the system until the time the case is settled, including information such as attorney notes, photographs, mitigating factors, basis sheets, a railroad's compliance history, etc.<br><br><del>NOTE: These disposition instructions apply to all the described records regardless of physical media</del><br><i>Media neutrality applies to items 1c(2), 1c(3), and 1c(4). This is not applied to items 1b(1) and 1b(2). (per 8-10 email)</i> |  |  |

~~a. **Inputs** Violation reports, inspector reports and evidence, basis sheets, – official settlement notes and settlement amount~~

~~1) **Civil Penalty Violation Cases**~~

~~Disposition **Temporary.** Transfer to FRC 1 year after close of case Destroy 3 years later  
(NI-399-79-1, item 3) *superseded by NI-399-08-02, Item 4 email 4/17/2013 JC*~~

~~2) **Civil Assessment Cases under the Hazardous Materials Transportation Act**~~

~~Disposition **Temporary.** Transfer to FRC 1 year after close of case Destroy 6 years later  
(NI-399-79-1, item 4) *superseded by NI-399-08-02, Item 2, e-mail 4/17/2013 JC*~~

**b. Master file:** System data consists of violation related proof, some attorney notes, violation details, penalty information, railroad information, and tracking details Date range is 1991-present

1) **File Attachments** File attachments consist of all violation related proof and some attorney notes

Disposition **Temporary.** Cut off file at end of fiscal year in which case is closed or when fine or settlement amount has been paid, whichever is later Delete 3 years after cut off

2) **Case and Tracking Information** Case details include violations details, penalty information, railroad information, attorney information Tracking information consists of when case sent to /reviewed by attorney, expert attorney, railroad carrier and when it was mailed and settled

Disposition **Temporary.** Cut off file at end of fiscal year in which case is closed or when fine or settlement amount has been paid, whichever is later, as noted in 1b(1), File Attachments, above Delete 30 years after this cut off or when no longer needed, whichever is later

~~c. **Outputs:**~~

~~1) **Accounts Receivable Memos** Memo that contains the railroad /shipper/carrier name and contact information along with the settlement amount and payment due date for collection purposes The memo is kept in the violation case file and is generated as part of the closing of the file~~

~~a) **Civil Penalty Violation Cases**~~

~~Disposition **Temporary.** Transfer to FRC 1 year after close of case Destroy 3 years later  
(NI-399-79-1, item 3) *superseded by NI-399-08-02, Item 4. 4/17/2013 JC*~~

~~b) **Civil Assessment Cases under the Hazardous Materials Transportation Act**~~

~~Disposition **Temporary.** Transfer to FRC 1 year after close of case Destroy 6 years later  
(NI-399-79-1, item 4) *superseded by NI-399-08-02, Item 2*~~

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- 2) **Annual Civil Penalty Report** Report summarized the disposition of all cases about which FRA assessed a fine for violations of federal railroad safety statutes, regulations and orders during the fiscal year

Disposition **Permanent** Cutoff files at end of the calendar year Transfer to NARA 3 years after cutoff

- 3) **Annual Enforcement Report** Summary of all enforcement actions taken by FRA, enforcement actions sorted by type of alleged violation, railroad classification, hazardous materials shippers, and individuals, Analysis of locomotive engineer certification cases brought before FRA, Administrative hearing cases involving hazardous materials (HAZMAT) violations or enforcement actions against individuals

Disposition **Permanent** Cutoff files at end of the calendar year Transfer to NARA 3 years after cutoff

- 4) **Monthly Reports** Monthly enforcement and civil penalty reports The monthly reports are compiled and summarized to generate the annual reports

Disposition **Temporary** Cutoff files at end of the calendar year Destroy or delete 1 year after cutoff

- ~~5) **Ad Hoc Reports** Includes railroad information reports, ad hoc statistical reports, analyses, etc~~

~~Disposition **Temporary**. Destroy or delete when the agency determines that they are no longer needed for administrative, legal, audit, or other operational purposes, provided the printouts do not contain substantive information, such as substantive annotations, that is not included in the electronic records <GRS 20, Item 16>~~

- ~~d. **System Documentation:** Regardless of medium system specifications, file specifications, codebooks, record layouts, user guides, output specifications, and any other system specifications relating to the files~~

~~Disposition **Temporary**. Destroy or delete upon authorized deletion of the related electronic records or upon the destruction of the output of the system if the output is needed to protect legal rights, whichever is later <GRS20, Item 11a(1)>~~