

REQUEST FOR RECORDS DISPOSITION AUTHORITY		LEAVE BLANK (NARA use only)	
To NATIONAL ARCHIVES & RECORDS ADMINISTRATION 8601 ADELPHI ROAD, COLLEGE PARK, MD 20740-6001		JOB NUMBER <i>N1-470-09-2</i>	
1 FROM (Agency or establishment) Federal Mine Safety and Health Review Commission		Date Received <i>August 6, 2009</i>	
2 MAJOR SUB DIVISION Docket Office		NOTIFICATION TO AGENCY	
3 MINOR SUBDIVISION		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request, including amendments is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10	
4 NAME OF PERSON WITH WHOM TO CONFER Sarah Stewart	5 TELEPHONE 202-434-9957	DATE <i>8/6/09</i>	ARCHIVIST OF THE UNITED STATES <i>[Signature]</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>2</u> page(s) are not needed now 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>7-22-09</i>	SIGNATURE OF AGENCY REPRESENTATIVE <i>Robert Lervick</i>		TITLE <i>Chief Administrative Law Judge</i>
7 ITEM NO	8 DESCRIPTION OF ITEM AND PROPOSED DISPOSITION	9 GRS OR SUPERSEDED JOB CITATION	10 ACTION TAKEN (NARA USE ONLY)
<i>24, 25, 26, 27</i>	<i>See attached sheets</i>	<i>N1-470-96-1</i>	
<i>6</i>		<i>N1-470-98-1</i>	

DOCKET OFFICE

Item 1 Case files

- (1) These are files that contain documents pertaining to cases arising from citations and orders issued to operators of coal, metal and nonmetal mines and certain individuals under the Federal Mine Safety and Health Act of 1977. The files usually begin with citations and orders and continue through the final written disposition of a Commission Administrative Law Judge, the Review Commission, or a federal court of appeals. These files may be paper files or electronic files that contain scanned electronic documents and/or electronic documents other than scanned documents. The recordkeeping copy of audio recordings of hearings before Commission Administrative Law Judges and oral arguments before the Review Commission are covered by this item.

Disposition TEMPORARY Cut off files at close of case. Retire paper files to the Washington National Records Center 2 year after cutoff. Destroy paper files 6 years after cutoff. Delete/destroy electronic files when no longer needed for reference or 6 years after cutoff, whichever is later. (Supersedes NARA Job No. N1-470-96-1, Item 24)

Item 2 Audio recordings of closed meetings of the Review Commission

- (2) This item covers audio recordings of the Review Commission's closed meetings. These meetings include decisional meetings and other recorded meetings that are closed. Closed decisional meetings may be attended by Commissioners, Commissioners' counsels and members of the Office of the General Counsel.

a Record copy

Disposition TEMPORARY Destroy when 2 years old or when no longer needed, whichever is later. (Supersedes NARA Job No. N1-470-96-1, Item 25)

- (3) b All other copies

Disposition TEMPORARY Delete/destroy when no longer needed. (Supersedes NARA Job No. N1-470-96-1, Item 25)

Item 3 Commission Blue Books

- (3) Blue books are printed volumes of Review Commission and Administrative Law Judge decisions and orders that merit publication. These books are published once every two months or once a month. Approximately 35 sets are kept by Commission employees for citation and research purposes. The Docket Office has been designated as the office of record.
- (4)

Disposition PERMANENT Transfer to the National Archives at end of each calendar year. (Supersedes NARA Job No. N1-470-96-1, Item 26)

Item 4 Case-tracking system

This item covers the Commission's electronic system of logging, tracking and storing documents that eventually are included in the Commission's official case files. This item also includes data that has been entered into the case-tracking system to support administrative functions and does not become part of an official case file.

Disposition

~~**Input/Source Records. TEMPORARY:** Destroy after the information has been converted to an electronic medium and verified, when no longer needed for legal or audit purposes or to support the reconstruction of or serve as a backup to the electronic records (GRS 20, Item 2a4)~~

(5) **Master Data File. TEMPORARY** For documents that become part of case file, cut off files at close of case. Delete/destroy electronic files when no longer needed for reference or 6 years after cutoff, whichever is later. For data entered for administrative purposes that does not become part of case file, delete when no longer needed.

~~**Outputs. TEMPORARY** Destroy/Delete when no longer needed for administrative, legal, audit, or other operational purposes (GRS 20, Items 4, 5, 6, 12)~~

~~**Documentation. 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 (GRS 20, Item 11a1)~~