



**RECORDS RETENTION AND DISPOSITION SCHEDULE
SPECIFIC SCHEDULE NO. 409-003
MINES, MINERALS AND ENERGY, DEPARTMENT OF
MINED LAND RECLAMATION, DIVISION OF
RECLAMATION SERVICES - ENFORCEMENT**

The schedule on the attached page(s) is approved with agreement to follow the records retention and disposition conditions listed below:

AGENCY APPROVALSTATE APPROVAL

AGENCY HEAD OR DEPUTY

STATE RECORDS ADMINISTRATOR

AGENCY RECORDS OFFICER

COMPTROLLER OR DEPUTY

EFFECTIVE SCHEDULE DATE: SEP 20 2002

PAGE 1 OF 4 PAGES

CONDITIONS FOR RECORDS RETENTION AND DISPOSITION

1. This schedule is continuing authority under the provisions of the *Virginia Public Records Act*, §§ 42.1-76, et. seq. of the *Code of Virginia* for the retention and disposition of the records as stated on the attached page(s).
2. This schedule supersedes previously approved applicable schedules.
3. This schedule is used in conjunction with the *Certificate of Records Destruction* (Form RM-3). A signed RM-3 must be approved by the designated records officer and on file in the agency or locality before records can be destroyed. After the records are destroyed, the original signed RM-3 must be sent to Library of Virginia (LVA).
4. Any records created before the Constitution of 1902 came into effect (January 1, 1904) must be offered, in writing, to the LVA before applying these disposition instructions. Offered records can be destroyed 60 days after date of the offer if no response is received from the LVA. A copy of the offer must be attached to the RM-3 form when it is submitted to the LVA.
5. All known audits and audit discrepancies regarding the listed records must be settled before the records can be destroyed.
6. All known investigations or court cases involving the listed records must be resolved before the records can be destroyed. Knowledge of subpoenas, investigations or litigation that reasonably may involve the listed records suspends any disposal or reformatting processes until all issues are resolved.
7. The retentions and dispositions listed on the attached page(s) apply regardless of physical format, i.e., paper, microfilm, electronic storage, optical imaging, etc. Microfilming must be done in accordance with *Virginia Administrative Code*, §§ 17VAC15-20-10, et. seq. "Standards for the Microfilming of Public Records for Archival Retention."
8. Custodians of records must ensure that information in confidential or privacy protected records is protected from unauthorized disclosure through the ultimate destruction of the information. Normally, destruction of confidential or privacy-protected records will be done by shredding or pulping. "Deletion" of confidential or privacy-protected information in computer files or other electronic storage media is not acceptable. Electronic records must be "wiped" clean or the storage media physically destroyed.
9. Under the *Virginia Public Records Act*, (§ 42.1-79) the Library of Virginia is the official custodian and trustee of all state agency records transferred to the Archives, Library of Virginia. The Library may purge select records in accordance with professional archival practices in order to ensure efficient access.



2

**RECORDS RETENTION AND DISPOSITION SCHEDULE
SPECIFIC SCHEDULE NO. 409-003
MINES, MINERALS AND ENERGY, DEPARTMENT OF
MINED LAND RECLAMATION, DIVISION OF
RECLAMATION SERVICES - ENFORCEMENT**

EFFECTIVE SCHEDULE DATE: SEP 20 2002

PAGE 2 OF 4 PAGES

RECORDS SERIES TITLE AND DESCRIPTION	SERIES NUMBER	SCHEDULED RETENTION AND DISPOSITION
<p><u>Coal Exploration Notices (CEN)/Inspections</u> This series documents the submittal of notices or permit applications for coal exploration and subsequent inspections as required by <i>Virginia Administrative Code</i>, §§ 4VAC25-130-772 and 773.</p>	005115	<p>After completion of reclamation operation, microfilm records according to Library of Virginia's standards/guidelines; retain records in new format permanently. Transfer original camera negative to Imaging Services Branch of the Library of Virginia. After filming, remove maps and transfer to records series 005119, "Map Files." Destroy balance of originals after quality control inspection verifies information was successfully transferred to new format. Destroy in compliance with No. 8 on schedule cover page. Document destruction of original records after reformatting on <i>Certificate of Records Disposal</i> (RM-3 form).</p>
<p><u>Enforcement Administrative Files</u> This series documents the routine actions and activities of the enforcement staff. Series includes, but is not limited to, correspondence, inspector frequency sheets, reports, oversight records, grant materials, logs and other supporting documentation. Refer to <i>Code of Virginia</i>, § 45.1-244.</p>	005116	<p>Retain 3 years, then destroy in compliance with No. 8 on schedule cover page.</p>
<p><u>Enforcement Complaints</u> This series documents the receipt and investigation of complaints related to surface coal mining and reclamation. Refer to <i>Code of Virginia</i>, § 45.1-244.</p>	005117	<p>After completion of reclamation operation, microfilm or scan records according to Library of Virginia's standards/guidelines; retain records in new format permanently. Transfer original camera negative to Imaging Services Branch of the Library of Virginia. Destroy originals after quality control inspection verifies information was successfully transferred to new format. Destroy in compliance with No. 8 on schedule cover page. Document destruction of original records after reformatting on <i>Certificate of Records Disposal</i> (RM-3 form).</p>



**RECORDS RETENTION AND DISPOSITION SCHEDULE
SPECIFIC SCHEDULE NO. 409-003
MINES, MINERALS AND ENERGY, DEPARTMENT OF
MINED LAND RECLAMATION, DIVISION OF
RECLAMATION SERVICES - ENFORCEMENT**

EFFECTIVE SCHEDULE DATE: SEP 20 2002

PAGE 3 OF 4 PAGES

RECORDS SERIES TITLE AND DESCRIPTION	SERIES NUMBER	SCHEDULED RETENTION AND DISPOSITION
<p><u>Exempt/Non-Permitted Sites</u> This series documents the monitoring of coal removal from government financed highway or construction sites that are exempt from reclamation rules under the provisions of the <i>Virginia Administrative Code</i>, 4VAC25-130-707.</p>	005272	Retain 3 years after closeout of project, then microfilm records according to Library of Virginia's standards/guidelines; retain records in new format permanently. Transfer original camera negative to Imaging Services Branch of the Library of Virginia. Destroy originals after quality control inspection verifies information was successfully transferred to new format. Document destruction of original records after reformatting on <i>Certificate of Records Disposal</i> (RM-3 form).
<p><u>Inspector Monthly Diaries</u> This series documents the activities of enforcement inspectors on a monthly basis. Diaries include work hours, itineraries, appointments, contacts and notes. Refer to <i>Code of Virginia</i>, § 45.1-244.</p>	005118	Retain 5 years after last entry, then destroy.
<p><u>Map Files</u> This series includes exploration maps and other maps pulled out of records after microfilming. Refer to record series 005115 "Coal Exploration Notices (CEN)/Inspections."</p>	005119	Retain permanently in agency.
<p><u>Permit Inspections/Violation Reports</u> This series documents agency inspection of permittees, violations found and any subsequent corrective action and/or correspondence. Refer to <i>Code of Virginia</i>, § 45.1-245.</p>	005120	After completion of reclamation operation, microfilm or scan records according to Library of Virginia's standards/guidelines; retain records in new format permanently. Transfer original camera negative to Imaging Services Branch of the Library of Virginia. Destroy originals after quality control inspection verifies information was successfully transferred to new format. Destroy in compliance with No. 8 on schedule cover page. Document destruction of original records after reformatting on <i>Certificate of Records Disposal</i> (RM-3 form).



RECORDS RETENTION AND DISPOSITION SCHEDULE
 SPECIFIC SCHEDULE NO. 409-003
 MINES, MINERALS AND ENERGY, DEPARTMENT OF
 MINED LAND RECLAMATION, DIVISION OF
 RECLAMATION SERVICES - ENFORCEMENT

EFFECTIVE SCHEDULE DATE: SEP 20 2002

PAGE 4 OF 4 PAGES

RECORDS SERIES TITLE AND DESCRIPTION	SERIES NUMBER	SCHEDULED RETENTION AND DISPOSITION
<p><u>Ten Day Notices</u> This series documents receipt of a Ten Day Notice of violation from the Federal Office of Surface Mining (OSM) and subsequent department actions in response to the notice. Refer to 30CFR842.11 and <i>Code of Virginia</i>, § 45.1-245.</p>	005121	<p>After completion of reclamation operation, microfilm or scan records according to Library of Virginia's standards/guidelines; retain records in new format permanently. Transfer original camera negative to Imaging Services Branch of the Library of Virginia. Destroy originals after quality control inspection verifies information was successfully transferred to new format. Destroy in compliance with No. 8 on schedule cover page. Document destruction of original records after reformatting on <i>Certificate of Records Disposal</i> (RM-3 form).</p>