



RECORDS RETENTION AND DISPOSITION SCHEDULE
SPECIFIC SCHEDULE NO. 409-008
DEPARTMENT OF MINES, MINERALS AND ENERGY
DIVISION OF MINES

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

AGENCY APPROVAL

STATE APPROVAL

AGENCY HEAD OR DEPUTY *Gene Blushner*

STATE RECORDS ADMINISTRATOR *Robert F. Nunnally*

AGENCY RECORDS OFFICER *Michael Abbott*

COMPTROLLER OR DEPUTY _____

EFFECTIVE SCHEDULE DATE APR 22 2009

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 Disposal* (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. Unless prohibited by law, records may be reformatted at agency or locality discretion. Microfilming must be done in accordance with §§ 17VAC15-20-10, et. seq. of the *Virginia Administrative Code*, "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.



RECORDS RETENTION AND DISPOSITION SCHEDULE
SPECIFIC SCHEDULE NO. 409-008
DEPARTMENT OF MINES, MINERALS AND ENERGY
DIVISION OF MINES

EFFECTIVE SCHEDULE DATE APR 22 2009

PAGE 2 OF 6 PAGES

RECORDS SERIES AND DESCRIPTION	SERIES NUMBER	SCHEDULED RETENTION AND DISPOSITION
<p><u>Appeals Files</u> Documents appeals of Notices of Violations issued to mine operators by the Department as specified in Code of Virginia, § 45.1-161.90. If not appealed within 20 days of issuance, the Notice of Violation has force of law. Files include copies of the notice, the appeal and agreement or hearing records. Original notices are part of series 100527, "Mine Index Files (Coal) - Active."</p>	100516	Retain 5 years after mine abandonment, then destroy.
<p><u>Applications for Certification Examination - Continuing Education Required</u> Documents the application for certification and certification of specific skills required in coal mining operations when continuing education is required after certification. The Department is authorized by Code of Virginia, § 45.1-161.29 to require certification of appropriate skills.</p>	100517	Retain 2 years in paper, then microfilm records according to Library of Virginia's standards; retain records in new format 73 years. Total retention 75 years. Destroy originals in compliance with No. 8 on schedule cover page after quality control inspection verifies information was successfully transferred to new format. Document destruction of original records after reformatting on Certificate of Records Destruction (RM-3 form).
<p><u>Applications for Certification Examination - Pending</u> Documents the application for certification of specific skills required in coal mining operations when all certification requirements have not been met. The Department is authorized by Code of Virginia, § 45.1-161.29 to require certification of appropriate skills.</p>	100518	Retain 5 years after last activity, then destroy in compliance with No. 8 on schedule cover page.
<p><u>Applications for Certification Examination - Certified</u> Documents the application for certification and certification of specific skills required in coal mining operations when no continuing education is required. The Department is authorized by Code of Virginia, § 45.1-161.29 to require certification of appropriate skills.</p>	100519	Retain 1 year in paper, then microfilm records according to Library of Virginia's standards; retain records in new format 74 years. Total retention 75 years. Destroy originals in compliance with No. 8 on schedule cover page after quality control inspection verifies information was successfully transferred to new format. Document destruction of original records after reformatting on Certificate of Records Destruction (RM-3 form).



RECORDS RETENTION AND DISPOSITION SCHEDULE
SPECIFIC SCHEDULE NO. 409-008
DEPARTMENT OF MINES, MINERALS AND ENERGY
DIVISION OF MINES

EFFECTIVE SCHEDULE DATE APR 22 2009

PAGE 3 OF 6 PAGES

RECORDS SERIES AND DESCRIPTION	SERIES NUMBER	SCHEDULED RETENTION AND DISPOSITION
<p><u>Coal Tax Credit (Isopach) Maps</u> Documents filing of maps used to verify operator requests for coal tax credits from the Department of Taxation on actual coal mined as authorized by Code of Virginia, § 58.1-439.2. Credits offset other taxes due on the operator. These files contain the maps that verify seam thickness and locations.</p>	100520	Retain 1 year after mine abandoned, then microfilm records according to Library of Virginia's standards. Send microfilm camera negative to Imaging Services Branch, Library of Virginia for security; retain one copy of microfilm permanently in agency. Destroy originals after quality control inspection verifies information was successfully transferred to new format. Document destruction of original records after reformatting on Certificate of Records Destruction (RM-3 form).
<p><u>Electrical Systems - Mine</u> Documents the receipt of and acceptance of files including schematics and other technical material on mine electrical systems. Files are held for mine emergency use purposes.</p>	100521	After mine abandoned, transfer files to series 100526, "Mine Index Files - Abandoned."
<p><u>Fatality Investigation Files</u> Documents Department's investigation of fatal coal mine accidents as required by Code of Virginia, § 45.1-161.78. File may include inspector's notes, interviews, investigator's reports and final reports.</p>	100522	Retain 1 year after mine abandoned, then microfilm records according to Library of Virginia's standards. Send microfilm camera negative to Imaging Services Branch, Library of Virginia for security; retain one copy of microfilm permanently in agency. Destroy originals after quality control inspection verifies information was successfully transferred to new format. Document destruction of original records after reformatting on Certificate of Records Destruction (RM-3 form).
<p><u>Itinerary Reports</u> Documents the activities of Department personnel engaged in field and other activities. Reports are retained for internal audit purposes.</p>	100523	Retain 5 years, then destroy.
<p><u>Legal Files</u> Documents legal actions taken by the Department against individuals or companies as per Code of Virginia, § 45.1-161.93.</p>	100524	Retain 75 years, then destroy.



RECORDS RETENTION AND DISPOSITION SCHEDULE
SPECIFIC SCHEDULE NO. 409-008
DEPARTMENT OF MINES, MINERALS AND ENERGY
DIVISION OF MINES

EFFECTIVE SCHEDULE DATE APR 22 2003

PAGE 4 OF 6 PAGES

RECORDS SERIES AND DESCRIPTION	SERIES NUMBER	SCHEDULED RETENTION AND DISPOSITION
<p><u>Mine Index Cards - Defunct Series</u> Documents the Department's oversight of ongoing mine operations. Contains license, inspection and operator information on index cards. Replaced by series 100527, "Mine Index Files (Coal) - Active.</p>	100525	Retain permanently in agency.
<p><u>Mine Index Files (Coal) - Abandoned</u> Documents Department's oversight of coal mining operations as required by Code of Virginia, § 45.1-161.57, et seq. These are closed files of abandoned mines transferred from series 100527, "Mine Index Files (Coal) - Active.</p>	100526	Retain 5 years after abandoned or last Department activity, whichever is longer; then destroy.
<p><u>Mine Index Files (Coal) - Active</u> Documents Department's oversight of active coal mining operations as required by Code of Virginia, § 45.1-161.57, et seq. Files may contain licenses, inspections, maps, correspondence, accident records and other supporting documentation. These are the complete history and record for each specific mine.</p>	100527	When mine abandoned, transfer maps to series 100534, "Underground Mine Maps - Abandoned." Transfer balance of files to series 100526, "Mine index Files (Coal) - Abandoned."
<p><u>Plan Manuals - Coal Mine Operators</u> Documents that operators meet specific standards for the operation of mines as prescribed by the Department per Code of Virginia, § 45.1-161.109. Manuals may include roof control plans, bleeder plans, emergency response plans, fan stoppage plans, smoker's search plan, shooting permits and maps.</p>	100528	When abandoned, transfer maps to series 100534, "Underground Mine Maps - Abandoned" and balance of files to series 100526, "Mine index Files (Coal) - Abandoned."
<p><u>Refuse/Impoundment Inspections</u> Documents operator reporting of and Department inspection of refuse or impoundment areas as specified in Code of Virginia, § 45.1-221.</p>	100529	Retain permanently in agency.



RECORDS RETENTION AND DISPOSITION SCHEDULE
SPECIFIC SCHEDULE NO. 409-008
DEPARTMENT OF MINES, MINERALS AND ENERGY
DIVISION OF MINES

EFFECTIVE SCHEDULE DATE APR 22 2003

PAGE 5 OF 6 PAGES

RECORDS SERIES AND DESCRIPTION	SERIES NUMBER	SCHEDULED RETENTION AND DISPOSITION
<u>Special Surveys</u> Documents Department initiated surveys of Department or personnel performance.	100530	Retain 5 years, then destroy.
<u>Small Mine Safety Service Files (SMSS)</u> Documents Department and operator participation in the voluntary Small Mine Safety Service. The Service provides training to the personnel in small mine operations employing less than 25 miners.	100531	Retain 5 years after abandonment, then destroy.
<u>Surface Mine Maps</u> Documents fulfillment of provisions of Code of Virginia, § 45.1-161.64B that operators of surface mines submit maps detailing mining operations. Three Copies of the maps are maintained permanently. One microfilm copy for convenience. And one digital copy for GIS manipulation. The paper original is kept permanently for use when accurate, to-scale measurements are needed to avoid errors caused by photographic distortion.	100532	Retain 1 year after mine abandoned, then microfilm or scan records according to Library of Virginia's standards. Transfer original camera negative to Imaging Services Branch of the Library of Virginia; retain one copy of microfilm permanently in agency. Store digital copy in agency automated mapping system. After quality control inspection verifies information was successfully transferred to new format, transfer originals to Archives, Library of Virginia for permanent retention.
<u>Vertical Ventilation Hole Files</u> Documents operator application for and Department approval of the drilling of ventilation holes for underground mines as required by Virginia Administrative Code, 4VAC25-100-10, et. seq.	100533	Retain Permanently in agency.



RECORDS RETENTION AND DISPOSITION SCHEDULE
SPECIFIC SCHEDULE NO. 409-008
DEPARTMENT OF MINES, MINERALS AND ENERGY
DIVISION OF MINES

EFFECTIVE SCHEDULE DATE APR 22 2009 PAGE 6 OF 6 PAGES

RECORDS SERIES AND DESCRIPTION SERIES NUMBER SCHEDULED RETENTION AND DISPOSITION

Underground Mine Maps - Abandoned

Documents operator submission of mining maps as required by Code of Virginia, § 45.1-161.64A. Maps are pulled from series 100527, "Mine Index Files (Coal) - Active" after mines are abandoned. Three Copies of the maps are maintained permanently. One microfilm copy for convenience. And one digital copy for GIS manipulation. The paper original is kept permanently for use when accurate, to-scale measurements are needed to avoid errors caused by photographic distortion.

100534

Retain 1 year after mine abandoned, then microfilm or scan records according to Library of Virginia's standards. Transfer original camera negative to Imaging Services Branch of the Library of Virginia; retain one copy of microfilm permanently in agency. Store digital copy in agency automated mapping system. After quality control inspection verifies information was successfully transferred to new format, transfer originals to Archives, Library of Virginia for permanent retention.