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	U· S· DEPARTMENT OF THE INTERIOR OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT DIRECTIVES SYSTEM	Subject Number: INF-2 Transmittal Number: 133 Date: October 4, 1982

Subject: Administrative Record System

Approval: [signature] **Title** ACTING Director

1. Purpose. This directive establishes an Office of Surface Mining Administrative Record System. It serves as a guide to:

   a. Assure that Administrative Record facilities are established at Field Offices, Technical Centers and Headquarters.

   b. Identify documents and materials to be made available in Administrative Record facilities for public inspection and copying.

   c. Advise OSM employees of agency policies and procedures for the Administrative Record.

2. Definitions.

   a. Administrative Record - A comprehensive agency-wide compilation of decisionmaking documents associated with rulemaking actions. For example, relative to State program submissions, key documents in the Administrative Record include State regulations, State statutes, official State program submissions, amendments and modifications to State submissions, written public comments, transcripts of public hearings, summary records of all discussions and meetings about a State program, comments from various agencies, Federal Register notices, internal memoranda, official correspondence, and relevant technical literature.

   b. Federal Register Notice. Notice of agency policy or rulemaking activity published in the Federal Register.

   c. Public Comment. Comments presented at public hearings or submitted in writing from the public regarding particular issues in rulemaking.

   d. Public Hearing. Scheduled meeting at which OSM officials hear testimony and statements from participants. A verbatim transcript is kept of the proceedings.

e. Public Meeting - Scheduled and unscheduled discussions between various interest groups, industry representatives, and OSM, which may be held during any rulemaking comment period.

f. Rulemaking. Process for formulating, amending, or repealing the whole or a part of an OSM statement of general or particular applicability which is designed to implement, interpret or prescribe law, policy, procedure or practice requirements of OSM.

g. State Program. A program under which a State regulates coal mining and reclamation operations on non-Indian and non-Federal lands within that State, according to the requirements of Public Law 95-87 and the OSM permanent program regulations.

h. State Program Submission Documents. Includes State regulations, State statutes, official State submission amendments, executive recommendations and/or written notifications of official submissions, public comments, public hearing transcripts, records of public meetings and telephone conversations, comments from concurring agencies, Federal Register notices, official correspondence and staff memoranda.

i. Technical Literature - Reference materials used in developing OSM's regulations, such as textbooks, technical reports handbooks, manuals, letters, etc. This material is kept at the Washington Administrative Record.

3. Policy/Procedures.

a. Responsibilities.

(1) The Division of Management Services will provide advice and policy guidance for Administrative Records administration.

(2) Each Field Office, Technical Center and the Division of Management Services will maintain an Administrative Record facility. Each facility will:

(a) Maintain a complete file and an up-to-date index. All pre and post State program submission documents will be kept in the Administrative Record maintained by the applicable Field office or Technical Center.

(b) Cooperate with other Administrative Record facilities by providing documents (duplicates) or information from its files when requested.

(c) Maintain a log of all requests for information. At a minimum, the log should contain the following information:

1 Name of Requester.*

2 Organization of Requester.*

3 Date and Time of Request.

4 Type of Request (telephone, mail or visit).

5 Information Requested.

6 Request Filled (Yes) (No).

(d) Maintain a bulletin board and post the dates, times, location, affected parties and subject matters of all public meetings with Federal or State officials or members of the public. The Field office and Technical Center facilities will notify the Headquarters Administrative Record of changes.

b. Establish an adequate reading room where the public may review Administrative Record documents. The Administrative Record facility is to be kept open for 8 hours each working day and kept locked at all other times.

c. Maintain strict file security at all Administrative Record facility No original documents may be removed from the Administrative Record facility. Photocopies of documents may be made by the public at 10 cents per page. The charge for copying records may be reduced or waived in accordance with the Department's Freedom of Information Act regulations, 43 CFR §2.19.

* NOTE: OSM cannot <u>require</u> the requester's name or the name of the requester's organization.

4. Reporting Requirements

None.

5. Reference

a. Administrative Procedures Act.

b. Federal Register, OSM Permanent Program Regulations, Vol. 44, No. 50, 3-13-79, Books 2 and 3.

c. Freedom of Information Act, DOI, 43 CFR §2.19

6. Effect on other Documents

Supersedes 24-03 Transmittal Number 15, dated February 8, 1980, " Office of Surface Mining, Administrative Record System."

7. Effective Date.

Upon Issuance.

8. Contact

Management Services Division, FTS 8-343-7896.

	U· S· DEPARTMENT OF THE INTERIOR **OFFICE OF SURFACE MINING** **RECLAMATION AND ENFORCEMENT** **DIRECTIVES SYSTEM**	Subject Number: INF-2-1 Transmittal Number: 191 Date: 10/4/83

Subject: Administrative Record System

Approval: [signature] **Title:** Director

Subject No.: INF-2
Transmittal: 133

Dated: October 4, 1982
Subject: Administrative Record System

Please make the following pen and ink changes:

Paragraph 2a: Line 10. Delete "internal memoranda".

Paragraph 2a: Add: ***technical literature.***: Internal memoranda should not, as a matter of course, be included in the administrative record. There may be occasions, however, when it may be useful to include such a solicitor opinion or explanatory internal memorandum. Decisions on the inclusion of internal memoranda should be made on a case-by-case basis.

CHANGE NOTICE