

DIVISION OF MINERAL MINING PROCEDURES MANUAL		PROCEDURE NO.	4.19.00
		ISSUE DATE	3/24/97
SUBJECT	Confidential Files	Section	Permitting
		Last Revised	

OBJECTIVE AND INTENT:

Sections 45.1-161.292:37 and 45.1-161.292:70 of the Mineral Mine Safety Laws of Virginia require the special handling of mine safety maps and complainants' names to ensure the confidentiality of these documents.

PROCEDURES:

1. The Program Support Technician will be responsible for identifying confidential information in the DMM office permit files.
2. The Program Support Technician will place all confidential information in a manila envelope within the appropriate file area of the permit file. The outside of the envelope will be marked **“Confidential - not to be opened except in the presence of and with permission of the Program Support Technician, the Environmental Engineer Consultant, DMM Director, or the area enforcement staff.”**
3. When persons request to review a file the DMM staff person assisting the person will examine the permit file and remove all confidential material packets before allowing the file review. The DMM staff person may identify the confidential materials to the person without disclosure of the complainant name or map details.
4. Mine safety maps may be made available and copied for persons having a surface or mineral interest within 1,000 feet of the mine. Such persons must complete the ***Request for Release of Mine Map (DMM-155)*** and provide documentation that they have: a) an equitable interest in surface or mineral within 1,000 feet; b) are a representative of the local governing body where the mine is located; or c) have written consent of the mine owner, operator or agent. These documents must be received and approved by the Environmental Engineer Consultant, Program Support Technician or the Division Director prior to release of the map for viewing or copying.
5. Only the parts of the map associated with the individual request are to be provided unless the request and documentation cover the entire map area.
6. Confidential information maintained in the Mine Inspector's field file will be handled and released only in accordance with items 3 and 4 above.