

OSMRE-12, Blaster Certification

64 FR 17413, April 9, 1999; Modification published 73 FR 45244, August 4, 2008

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DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

Privacy Act of 1974; As Amended; Revisions to the Existing

System of Records AGENCY: Office of Surface Mining, Interior.

ACTION: Proposed revisions to an existing system of records.

SUMMARY: In accordance with the Privacy Act of 1974, as amended (5 U.S.C. 552a), the Office of Surface Mining (OSM) is issuing public notice of its intent to modify an existing Privacy Act system of records notice, OSM-12, "Application for Blaster Certification in Federal Program States and on Indian Lands-Computer Tracking System." The revisions will update the System Name, System Location addresses, System Manager(s), further define the Authority for Maintenance of the System, and clarify the Notification Procedure and Record Access Procedures.

EFFECTIVE DATE: the system of records. The Office of Management and Budget, in its Circular A-130, requires an

additional 10-day period (for a total of 40 days in which to make these comments. Any persons interested in commenting on this revised system of records may do so by submitting comments in writing to the U.S. Department of the Interior, Office of Surface Mining, Privacy Officer, 1951 Constitution Avenue, NW, Mail Stop 262-SIB, Washington, DC 20240. Comments received within 40 days of publication in the Federal Register will be considered.

The system will be effective as proposed at the end of the comment period, unless comments are received which would require a contrary determination. **ADDRESSES:** Constitution Avenue, NW, Washington, DC 20240. You may also hand deliver comments to the same address.

FOR FURTHER INFORMATION CONTACT: Federal Blaster Certification Program Coordinator, Office of Surface Mining, 530 Gay Street, SW, Suite 500, Knoxville, Tennessee 37902.

SUPPLEMENTARY INFORMATION: Earlier Privacy Act Compilations list the systems of records with the prefix "OSMRE" (e.g., OSMRE-12) as originally published in the Federal Register. The prefix was changed to "OSM" in subsequent records systems for convenience. The OSM is proposing to update and amend the system notice for OSM-12 "Application for Blaster Certification in Federal Program States and on Indian Lands-Computer Tracking System," which was previously published in the Federal Register on August 27, 1986 (51 FR 30554), to more accurately and clearly describe the System Name, System Location, System manager(s) and addresses. In addition, this revision further defines the Authority for Maintenance of the System by adding one citation, and clarifies the Notification Procedure and Record Access Procedures.

Accordingly, the OSM proposes to amend the "Application for Blaster Certification in Federal Program States and on Indian Lands-Computer Tracking System," OSM- 12 in its entirety to

read as follows:

Robert Ewing, Chief Information Officer, Office of Surface Mining.

INTERIOR/OSM-12 SYSTEM NAME:

Blaster Certification, OSM-12.

SYSTEM LOCATION:

Office of Surface Mining Reclamation and Enforcement (OSM), Department of the Interior, Washington, DC 20240 and Field Offices in Knoxville, Tennessee; Casper, Wyoming; Albuquerque, New Mexico; and Tacoma, Washington. For specific addresses of Field Offices contact the program coordinator at the address given below.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

The system contains applicants for certification as blasters in Federal Program States and on Indian Lands. Each application will be for one type of blaster certificate or purpose, from the following categories; issuance, renewal, reissuance, reexamination, replacement, or reciprocity. The application form will contain information on; personal data, examination dates, employment history, blasting experience, education, blaster training, blaster certification history, law violation history, and personal affirmation of all of the above information.

CATEGORIES OF RECORDS IN THE SYSTEM:

- (1) Complete application information submitted by candidate;
- (2) Application Status Reports listing; the number received, incomplete, complete and not scheduled for

examination, list of rejected applications, and list of applicants scheduled for examination;

- (3) Report Generation menu, contains; summary report of receipt of applications and alphabetic directory of Federal licensed blaster;
- (4) Certification Status reports contain; listing of certifications due to expire, expired certificates and a list or revoked or suspended certificates;
- (5) Query processing sub-systems to access information on candidates by social security number, last name, and print output of entire application information.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

The Surface Mining Control and Reclamation Act of 1977, 30 U.S.C. 1201 et seq., and 30 CFR 750.19, 816.61, 900, 910, 912, 921, 922, 933, 937, 939, 941, 942, 947,

and 955.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

The primary uses of the records are to:

- (a) Review and applicant's background, status, employment history, blasting experience and violation status;
- (b) Record the fact that the person is in compliance with specific State and Federal authority and regulations;
- (c) Maintain adequate control and access of record information;
- (d) Serve as a tool for OSM to grant as blaster certificate for issuance, renewal, reissuance and reciprocity status, administration and notification procedure;
- (e) Provide an adequate system of records for the Department,

and for compliance within the Department for a Federal program;

- (f) Enable, OSM to track appropriate actions when a blasting violation occurs, or a discrepancy with application information and the affirmation by the applicant;
- (g) Verify the status of a blaster when queried by state or mining company official; and (h) enable OSM as the regulatory authority to effectively monitor its program requirements.

Disclosure outside the Department of the Interior may be made to:

- (1) The appropriate Federal, State, local or foreign agency responsible for obtaining information relevant to a Federal blaster for investigating, prosecuting, enforcing or implementing a statute, rule, regulation or order when OSM becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation;
- (2) The U.S. Department of Justice or in a proceeding before a court or adjudicative body when;
 - (a) the United States, the Department of the Interior, a component of the Department, or, when represented by the government, an employee of the Department is a party to litigation or anticipated litigation or has an interest in such litigation, and
 - (b) the Department of the Interior determines that the disclosure is relevant or necessary to the litigation and is compatible with the purpose for which the records were compiled;
- (3) To a congressional Office from the record of an individual in response to an inquiry the individual has made to the congressional Office;

- (4) To a State or mining company officials to verify that an individual is or is not a certified blaster under the Federal programs.
- (5) To appropriate agencies, entities, and persons when:
 - (a) It is suspected or confirmed that the security or confidentiality of information in the system of records has been compromised; and
 - (b) The Department has determined that as a result of the suspected or confirmed compromise there is a risk of harm to economic or property interest, identity theft or fraud, or harm to the security or integrity of this system or other systems or programs (whether maintained by the Department or another agency or entity) that rely upon the compromised information; and
 - (c) The disclosure is made to such agencies, entities and persons who are reasonably necessary to assist in connection with the Department's efforts to respond to the suspected or confirmed compromise and prevent, minimize, or remedy such harm.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in manual form in secured file cabinets; and recorded on computer magnetic media.

RETRIEVABILITY:

For each Field Office, information is filed and retrievable by social security number and last name alphabetically, or date of entry. For each Field Office, information is filed alphabetically by applicant, candidate, or blasters, and consolidated in summary format at the Knoxville Field Office.

SAFEGUARDS:

Maintained in locked file cabinets for manual files, standard password files on computer and software, and accessible only by those authorized persons. Manual records are maintained in OSM areas occupied by OSM personnel during working hours with buildings locked off hours.

RETENTION AND DISPOSAL:

Data stored on magnetic media will be retained until it is determined that the information is no longer needed or required. Manual records will be retained for a minimum of 6 years to serve as verification and backup material. ADP printout records will be updated and disposed of periodically, when superseded or recertification of a certified blaster occurs. Records are disposed of in accordance with items 25 through 30 of General Records Schedule 14.

SYSTEM MANAGER(S) AND ADDRESS:

Federal Blaster Certification Program Coordinator, Office of Surface Mining, 530 Gay Street, SW, Suite 500, Knoxville, Tennessee 37902.

NOTIFICATION PROCEDURE:

To determine whether information is maintained on you in this system, write to the appropriate State designated OSM Field Office Director. See 43 CFR 2.60.

RECORD ACCESS PROCEDURES:

To see your records, write to the State designated OSM Field Office Director. Describe as specifically as possible the records sought and mark the request "Privacy Act Request for Access." See 43 CFR 2.63.

CONTESTING RECORD PROCEDURES:

A petition for amendment shall be addressed to the designated OSM Field Office Director and meet the content requirements of 43 CFR 2.71.

RECORD SOURCE CATEGORIES:

- (1) Application for Blaster Certification in Federal Program States and on Indian Lands.
- (2) Federal Blaster Examination Test Scores and Status.
- (3) State program approved certified blasters records.
- (4) State and Federal criminal or law violation records