

Request to View Official File (RVOF)

Official File access is now available to e-Filers, by request. Below are the steps for requesting to view the Official File.

Registration is Required

1. From the e-File page, go to the “View Official File” section of the page.

Welcome to FMSHRC e-File

[Instructions for Electronic Filing](#)

Filing for Existing Docket
File a Petition for Assessment of Penalty, motion, brief, or other document in any proceeding in which a docket number has already been assigned.
[Click to Start »](#)

Filing for New Docket
File the initial document in a new proceeding in which a docket number has not yet been assigned, such as a Discrimination or Compensation Complaint, an Application for Temporary Reinstatement, a Notice of Contest, an Emergency Response Plan Dispute Referral, or an Application for Fees and Expenses under the Equal Access to Justice Act (EAJA).
[Click to Start »](#)

View Official File
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[Please click here to complete a request to view an Official File.](#)
[Click to Start »](#)
To view an Official File, please click here once your request to view an Official File has been accepted.
[Click to Start »](#)

Filing for Motion to Reopen
If a proposed penalty assessment was not contested in a timely manner.
[Click to Start »](#)
If a Judge issued a default order in the case.
[Click to Start »](#)

Filing for Commission Review
File a document seeking appellate review of a Judge's order or decision in an existing proceeding such as a Petition for Discretionary Review, a Petition for Interlocutory Review, or a Petition for Temporary Reinstatement.
[Click to Start »](#)

2. To access the RVOF form, select the hyperlink indicating the following, “Please click here to complete a request to view an Official File.”

- Complete all fields on the “Official File Viewing Request” registration form.
- Parties to a case should select “Yes” from the “Are you a party?” field.
 - Parties are defined by Procedural Rules at 29 CFR 2700.4.
- **Note:** Additional approval is required for non-parties.
- Non-parties should select “No” from the “Are you a party?” field. They should then select “Other” in the “Nature and purpose of disclosure” field and indicate the reason for the request in the “Other” box.

3. Save and download the completed RVOF form to the e-Filer’s computer.

Federal Mine Safety and Health Review Commission
Official File Viewing Request for Parties Only

PRIVACY NOTICE
Authority: The Federal Mine Safety and Health Review Commission is authorized to collect this Personally Identifiable Information (PII) by and through the following authority: 30 U.S.C. 801, 44 U.S.C. 3101; 29 C.F.R. Part 2700, 2705.
Purpose: The PII request is being collected solely for the purpose of processing access to the Commission's case files.
Sharing Your Information: The information that you provide will be used by and disclosed to Federal Government personnel and contractors in furtherance of the above-stated purpose. This includes using the information to monitor and enforce by the review case published in PMSHRC-24. We may provide personal information beyond what is explicitly asked for in any of the provided data fields.
Disclosure: The disclosure of your PII is voluntary. However, a failure to provide the requested information will inhibit our ability to issue your request for access to our case file system.
Commission policy requiring parties to use the Freedom of Information Act (FOIA) process to access case transcripts is still in place. Transcripts are available through a FOIA request. Accordingly, Official File with transcripts CANNOT be approved until parties have that their FOIA request has been granted by PMSHRC's FOIA Office.

Name:

Contact information (Organization, Address, Phone, e-Mail):

I am a/an:

Representing the a/an:

Mine Name:

Mine ID:

Docket Number(s):

Are you a party? Yes No

Nature and purpose of disclosure: I intend to access this official file in order to view documents in furtherance of litigation
 Other:

Signature: Date:

Upload Registration Form

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[Click to Start >](#)

2. Enter the “Docket Number” that corresponds with the requested official file.
 - This should be the same docket number provided on the registration form.
3. Select the “Docket Level Owner” of the requested official file.
 - Once the docket number is entered, a box will appear with the corresponding docket information.
 - See the Docket Level Owner column for owner information.
 - Docket Level Owner explanations are provided beneath the drop-down menu.
4. Upload the completed registration form by selecting “Choose File”.
 - Only PDF files are accepted.

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Docket Number:

Docket Level Owner:

OCALJ

OCALJ: Office of Chief Administrative Law Judges (Document is intended for an OCALJ Judge, including the Chief Judge's Office)

OGC/OCC: Office of General Counsel / Office of the Chairman and Commissioners (Document is an appellate filing)

Document Title:

Document:

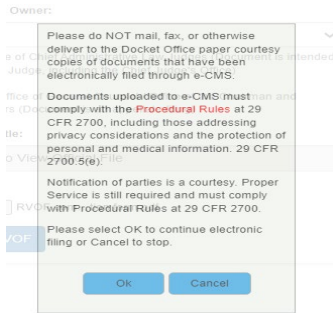
[Choose File](#) RVOF com...tion form.pdf

[Submit RVOF](#)

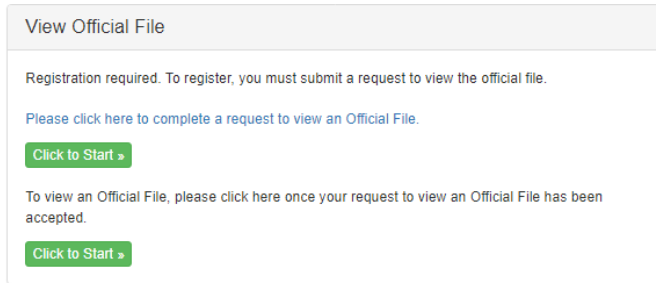
Docket #	AC #	Mine ID	Mine	Judge Assigned	Docket Level Owner
CENT 2024-0129	000592826	3900305	Brookings Sand & Gravel	Chief Judge Office	OCALJ

5. Select “Submit RVOF”.

- Confirm compliance with the Procedural Rules indicated on notification by selecting “Ok”.



- A confirmation message will appear indicating “Upload successful. You will be notified via email shortly.”



Request Accepted or Rejected (e-Filer)

1. If the RVOF form is accepted, e-Filer will receive the following automated email:

Dear -----,

Your document 'Official File Viewing Request.pdf' was successfully uploaded to the docket ----- and is currently pending review. As soon as decision is made by FMSHRC, you will get another notification via email.

Thank you.

2. If the RVOF form is rejected, e-Filer will receive the following automated email and may contact the Docket Office at docketemail@fmshrc.gov for additional information:

Dear e-Filer:

This is a non-monitored email. Please do not reply directly. If you have any questions, please contact e-CMS.Support@fmshrc.gov

This email has been sent in response to your uploaded Request to View Official File entered for Docket No.-----.

Your Request to View Official File document has been rejected.

Your Request to View Official File document was rejected for the following reason:

No comments

Please log on to [FMSHRC e-CMS](#) to upload additional documents to this docket.

Please DO NOT respond to this email. It has been sent from an unattended mailbox.

Thank you,
FMSHRC e-File staff

Approved Party

- Upon receipt of the approved RVOF, the e-Filer may access filings from the Official File.
- To view the Official File:
 1. From the e-File page, select the *second* “Click to Start” button located in the “View Official File” section
 - Button is beneath language, “To view an Official File, please click here once your request to view an Official File has been accepted.”

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2. Enter the docket number indicated on the RVOF registration form and select “View Official File”.

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Docket #	AC #	Mine ID	Mine	Judge Assigned	Docket Level Owner
CENT 2024-0129	000592826	3900305	Brookings Sand & Gravel	Chief Judge Office	OCALJ



3. The Official File will appear.
 - E-Filer may download documents by accessing the hyperlink provided in the “Document” column.
 - E-Filer may not edit Official File entries.

Search:

File Owner	Document Category	Document Type	Document	Date Received	Date Mailed	eFiled By	eFiled Date
OCALJ	Request	Request to View Official File	RVOF completed registration form.pdf	16-JUL-24	16-JUL-24	Champ, Pamela	16-JUL-24
OCALJ	Motion	Motion to Dismiss	CENT 2024-0129 Motion to Dismiss.pdf	29-APR-24	29-APR-24	Arzt, Linda	29-APR-24
OCALJ	Penalty Petition	Petition Received	CENT 2024-0129 Penalty Petition Package.pdf	25-MAR-24	25-MAR-24	Arzt, Linda	25-MAR-24

Showing 1 to 3 of 3 entries Previous 1 Next

Notes:

- Access to the Official File will not be automatically revoked when the case is disposed of or appealed. Any new counsel will need to request access to view the Official File. When counsel is substituted, counsel no longer representing a party will lose access to the Official File.

- Transcripts: Commission policy requiring parties to use the Freedom of Information Act (FOIA) process to access case transcripts is still in place. Transcripts are available through a FOIA request. Accordingly, Official Files with transcripts CANNOT be approved until parties show that their FOIA request has been granted by FMSHRC's FOIA Office. When transcripts are uploaded to e-CMS, approved parties will receive an email denying access until parties show granted FOIA request.
 - Approved parties must email a copy of the granted FOIA request to the email address where the notice of denied access was sent (e-CMS.Support@fmshrc.gov or -----@fmshrc.gov) for review before access will be granted or reinstated.
- Under Seal: When there is an "Under-Seal" filing or motion in the Official File, e-CMS will deny access to all users.