

New Mexico Mining Safety Board (MSB) – Meeting, February 27, 2025 @ 1 PM

DRAFT AGENDA

MSB members:

John Purcell (Chair), Jerry Higginbotham (Vice Chair), Michael Ackman, Howard Bartoo, Donald Bush, Jeff Cook, Katharine Fishman, Roy Newman, Mike Runner.

The State Mine Inspector (SMI), and the EMNRD Cabinet Secretary are Ex-Officio members of the MSB.

Chris Hefner, State Mine Inspector

Albert Chang, Director Mining and Mineral Division

Billy Jimenez, Counsel for State Mine Inspector and Mining Safety Board

Administrative duties provided by Bethany Jessen of BMS staff.

Location

Intrepid Potash- East Mine Training

Room

210 Red Cloud Road

Carlsbad, NM

(Approximately 27 miles East
of Carlsbad on US 62/180)

ZOOM Meeting

<https://nmt->

[edu.zoom.us/j/93316120061?p](https://nmt-edu.zoom.us/j/93316120061?pwd=ldlXB8eKvg2wHDjDZCfcZQsW7cMg1.1)

[wd=ldlXB8eKvg2wHDjDZCf](https://nmt-edu.zoom.us/j/93316120061?pwd=ldlXB8eKvg2wHDjDZCfcZQsW7cMg1.1)

[cZQsW7cMg1.1](https://nmt-edu.zoom.us/j/93316120061?pwd=ldlXB8eKvg2wHDjDZCfcZQsW7cMg1.1)

ZOOM meeting ID: 933 1612 0061

PASSWORD: 534224

Purpose of Meeting:

The MSB will conduct a regular meeting. The purpose of the meeting is for regular MSB business including the approval of the last meeting's minutes; SMI and Chair reports; consider raising training fees; update on board vacancies and nomination process for new members; and any other new business that may be introduced.

Other business items: *If MSB members would like other items included on the agenda, please contact the SMI at 575-835-5460 or Chair (John Purcell) at 575-200-6771.*

Agenda (Starting at 1 PM)

Action
Meeting will commence.
Chair – Attendance, introductions, and safety share.
Approval of today's agenda; Action Item
Approval of the last meeting's minutes, held on November 7, 2024; Action Item
Approval of New Mexico Open Meetings Act for 2025; Action Item
SMI Report – Update of the Mollie Kathleen Mine Fatality, Teller County, Colorado.
Chair Report – Update of New Mexico 2025 Legislative Session, actions relating to Mining Health and Safety. MSHA update, leadership, programs and policies. 2024 Mine Fatality Review.
Review current training fees and consider increasing fees. Action Item
New Member status - Application form can be found on Boards and Commissions Office of the Governor - Michelle Lujan Grisham (state.nm.us) .
New Business and action items to be discussed at next meeting.
Proposed date and location of next meeting; Action Item

Meeting adjourned. **Action Item**

A Tour of Intrepid East Facility after the meeting. PPE requirements and other tour information to will be forwarded to members before the meeting.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact (575) 835-5460 at least 48 hours prior to the meeting. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact (575) 835-5460 if a summary or other type of accessible format is needed.



NEW MEXICO
MINING SAFETY BOARD
John Purcell, Chair



MINUTES

New Mexico Mining Safety Board Meeting
101 East Road, Socorro, NM 87801
November 7, 2024 at 13:00

Present:

Board Members:

Michael Ackman - ZOOM
Jeff Cook
John Purcell - ZOOM
Donald Bush - ZOOM

Katharine Fishman - ZOOM
Mike Runner - ZOOM
Roy Newman - ZOOM
John Swagzdis - ZOOM

Ex Officio Members:

Chris Hefner, State Mine Inspector.
Albert Chang, Director Mining and Mineral Division.

MSB & BMS Counsel:

Kristin Hovie, Counsel for Mining Safety Board and State Mine Inspector.

BMS Staff:

Bethany Jessen, Bureau of Mine Safety Administrative Specialist.
Terry Walker, BMS, Zoom facilitator.

Guest: Timothy Apodaca.

Absent: Howard Bartoo, Jerry Higginbotham, Kristin Hovie, and Billy Jimenez.

- 1. Meeting commenced** at 13:11pm. The meeting proceeded with a quorum.
- 2. Chair- Attendance, introductions, and safety share.**
 - All attendees are accounted for and introduced themselves.
→ **Safety Shares:**

- John Purcell - With the current weather conditions, hopefully everyone is safe. And re-learning how to drive in these weather conditions.
- Michael Runner - OSHA site, gentleman pulled up to a fuel bank and filling up and got a notification that there was some noise. After getting off the phone, he drove off forgetting to put the fuel tank, and caused some damage.
- Donald Bush - A new employee hit a deer on his first day on the job. Need to keep an extra eye out in northern NM for animals by the roads.
- Michael Ackman - Lost two employees close together. One passed due to natural causes and another due to a traumatic accident.

3. Approval of agenda.

Motion to accept today’s agenda as written was made by Jeff Cook.
Seconded by Katharine Fishman.
 All in favor/carried.

4. Approval of minutes from March 5, 2024 meeting.

Fix a couple of spelling errors and remove the draft watermark from the 08/01/2024 meeting minutes.

Motion to accept the minutes from the last meeting as written was made by Jeff Cook,
Seconded Katharine Fishman.
 All in favor/carried.

5. SMI Report: NM Mining Association Presentation.

We just finished our MSHA State Grant Program Performance Review FY 23. Chris gave a breakdown on the numbers. And why they were below the targeted goal. Overall we did great, the numbers were great. Our state funding was lower than last year.

Types of Training	Goal:	Trained:	Percent of Goal:
Train the Trainer	10	8	80%
New Miners	100	193	193%
Annual Refresher	1100	1392	139%
Mine with less than 5	10	3	30%
Mine Rescue Part 49	150	84	56%
First Aid - English	300	211	70%
First Aid - Spanish	30	99	330%

- Update on the fatality in Colorado.

6. Chair Report: MSHA Safety Alerts. Review of New Mexico Statutes Chapter 69 – Mines, and NMAC Title 9, Chapter 6 – Mine Safety.

- MSHA -Download the MSHA app. You can also get the safety ordinance from the app. There is some really good information on there.

Apple Store- <https://apps.apple.com/us/app/miner-safety-health/id1621064181?platform=iphone>

Google Play - https://play.google.com/store/apps/datasafety?id=com.viethconsulting.MSHAmainapp&hl=en_NZ&gl=US&pli=1

- b. Legal council. We have gotten a few emails from the General Attorney's office, which let us know that they are short staffed and cannot assign specific people for the BMS and the MSB unless it is for something needed. Let John know ahead of time if there is something we need to discuss with them, so that we can have them in that particular meeting.
- c. Bethany sent out the updated documents:

New Mexico Statutes Chapter 69 – Mines
NMAC Title 19, Chapter 6 Part 2– Mine Safety

7. Review current training fees and consider increasing fees.

Chris Hefner is requesting a consultation with the board to increase the training fees by at least 10%.

	Current Rate	Proposed Rate
New Miner:	\$150 per person per day	\$165 per person per day.
Annual Refresher:	\$50 per student per day	\$55 per student per day.

Motion to accept Chris' proposal to increase training fees by \$5 (10%) was made by Jeff Cook. **Seconded** by Michael Ackman and Katharine Fishman.
All in favor/carried.

8. New Member status - Application form can be found on [Boards and Commissions | Office of the Governor - Michelle Lujan Grisham](#)

- a. We have Donald Bush who has applied.
- b. John Swagzdis has rejoined the board.
- c. Albert has done a fantastic job helping out with this.
- d. Still looking for applicants.
- e. Jamie Castillo has been waiting for over a year to hear back on his application. John will follow up to see if they still have his application.
- f. State Government Contact - Melissa Salazar. Albert has asked to be cc'd in those emails so that he may assist.

9. New Business - Further discussion will be held for:

- a. Please let John or Chris know if you need to add any topics for the next meeting.

10. Next meeting:

February or March 2025 at 1:00 PM, possibly a Thursday. Location. Mike Runner has volunteered to give a tour in Carlsbad for this meeting. He will get back with the board on some dates and times.

PPE required on site: Hard hat, steel toe shoes, and safety glasses will be needed to go on the tour.

Motion to accept the next meeting to be at Intrepid Potash was made by Jeff Cook. **Seconded** Roy Newman.
All in favor/carried.

11. Meeting Adjourned.

Motion was made by Michael Runner.
Seconded by Jeff Cook.
All in favor/carried.
The meeting was adjourned at 14:00 pm.

Bethany Jessen, Recording BMS Administrative Specialist.