DRAFT

TITLE 19 NATURAL RESOURCES AND WILDLIFE

CHAPTER 6 MINE SAFETY

PART 6 RULES AND REGULATIONS: REFERENCING FEDERAL REGULATIONS AND OTHER MINE SAFETY SOURCES.

19.6.6.1 ISSUING AGENCY: Mining Safety Board.

19.6.6.2 SCOPE: All persons subject to Sections 69-5-1 et seq. and Sections 69-8-1 et seq. NMSA 1978 and all mines as defined in Subsection E of 69-8-2 NMSA 1978.

19.6.6.3 STATUTORY AUTHORITY: Section 69-8-4 NMSA 1978.

19.6.6.4 DURATION: Permanent.

19.6.6.5 EFFECTIVE DATE:

19.6.6.6 OBJECTIVE: The objective of 19.6.6 NMAC is to provide guidance to the State Mine Inspector and the Bureau of Mine Safety in fulfilling the State Mine Inspector's statutory duties.

19.6.6.7 DEFINITIONS: [RESERVED]

19.6.6.8 ADOPTION OF MINE SAFETY AND HEALTH RULES AND REGULATIONS

A. In addition to the New Mexico Mining Safety Act, NMSA Chapter 69 Article 8, and the regulations found in NMAC Title 19, Chapters 6 and 7, the State Mine Inspector and the Bureau of Mine Safety shall refer to and consider the following sources in carrying out their duties:

(1) Federal Mine Safety and Health Act, 30 U.S.C. §§ 801 et seq., as amended;
(2) Applicable provisions contained in the Code of Federal Regulations;
(3) The American National Standards Institute;
(4) The American Society of Mechanical Engineers;
(5) The American Society for Testing and Materials International;
(6) The National Fire Protection Association, including, without limitation, the National Electrical Code;
(7) Common practices of the mining industry as determined by the State Mine Inspector;
(8) Any national consensus standard as determined by the State Mine Inspector; and,
(9) Any safety order legally adopted by the State Mine Inspector.

Amendments to Proposed Rule Text – Underlined