

GUIDELINES FOR SAFEGUARDING OF MINE OPENINGS (PURSUANT TO 19 NMAC 7.2)

Safeguarding means the physical closing off, or fencing off, of all openings on a property, including the posting of warning signs. Openings include shafts, adits, open pits, highwalls, and auger boreholes. Safeguarding, which must commence immediately upon closure, is required prior to the temporary or permanent suspension of an operation when an office with a responsible person present at all times is not maintained at the site.

Temporary suspension means the operation is expected to remain suspended for an indefinite period of time, but is expected to resume in the future. **Because temporary closure anticipates the eventual reopening of the operation, some alternative methods may be acceptable and are described below.**

Safeguarding Measures

Timetable

- Measures must commence immediately upon closure.
- If all measures are not completed within 30 days, a timetable for completion must be submitted to the Director for approval.

Sealing Openings

- May include earthen, waste rock, concrete, masonry or other approved materials.
- Adits to be filled 30 feet into openings. If closure is temporary, adits can be sealed with a steel-reinforced concrete or masonry wall, bolted or anchored into sides of the opening.
- Shafts to be filled above surrounding grade to allow for settling. If closure is temporary, shafts can be sealed with a steel-reinforced concrete slab or cable net closure.

Fencing

- Can be utilized to safeguard entire hazard area, but not adits/shafts.
- To be constructed of durable materials and capable of preventing access to openings.
- Barbed wire fences to be at least four wires.
- If temporary closure, a securely anchored and locked wire fence, cable or pipe gate across property entrance is acceptable.
- To be monitored and maintained throughout closure period.

Highwalls

- To be dozed, backfilled or blasted so that slope is less than 2h:1v or 50% gradient.
- Acceptable alternatives include a fence or rigid guardrails at top of highwall, or earthen or rock berms at top of highwall at least 3 feet high.
- Stockpiled materials and their slopes are excluded from safeguarding.
- Perimeter fencing may be used to safeguard highwalls, but must entirely enclose hazard area or property, and all gates must be locked.

Trespass warning/danger notice (signage) shall:

- Be durable and visible to persons approaching openings.
- Be legible from a distance of 50 feet.
- Contain mine name, name of operator and MSHA registration number.

Report to Mining and Minerals Division shall:

- Be submitted on a Form 12 (Notice of Intent to Suspend Operations).
- Include a list of materials and a description of how they will be utilized to close openings.
- Include a description of the construction and location of signage.

The safeguarding regulations and Form 12 can be found on our website at:

<http://www.emnrd.state.nm.us/MMD/MRRS/MRRSReportForms.html>