

**TITLE 19           NATURAL RESOURCES AND WILDLIFE**  
**CHAPTER 10       NON-COAL MINING**  
**PART 13           PROCESS OF REVIEW OF MINING AND RECLAMATION PRACTICES**

**19.10.13.1       ISSUING AGENCY:** New Mexico Mining Commission.  
[19.10.13.1 NMAC - N, 05-15-2001]

**19.10.13.2       SCOPE:** All persons subject to the New Mexico Mining Act NMSA 1978, Section 69-36-1 et. seq.  
[19.10.13.2 NMAC - N, 05-15-2001]

**19.10.13.3       STATUTORY AUTHORITY:** NMSA 1978, Section 69-36-1 et. seq.  
[19.10.13.3 NMAC - N, 05-15-2001]

**19.10.13.4       DURATION:** Permanent.  
[19.10.13.4 NMAC - N, 05-15-2001]

**19.10.13.5       EFFECTIVE DATE:** February 15, 1996, unless a later date is cited at the end of a section.  
**A.** All references to the Mining Act Parts 1-13 in any other rule shall be understood as a reference to 19.10 NMAC.  
**B.** The amendment and replacement of The Mining Act Parts 1-13 shall not affect any administrative or judicial enforcement action pending on the effective date of this amendment nor the validity of any permit issued pursuant to the Mining Act Parts 1-13.  
[19.10.13.5 NMAC - N, 05-15-2001]

**19.10.13.6       OBJECTIVE:** The objective of Parts 1-14 of 19.10 NMAC is to establish regulations to implement the New Mexico Mining Act as directed in NMSA 69-36-7A. These regulations are designed to ensure proper reclamation through permitting for operations subject to the Mining Act, in accordance with provisions and standards outlined in the Mining Act.  
[19.10.13.6 NMAC - N, 05-15-2001]

**19.10.13.7       DEFINITIONS: [RESERVED]**  
[19.10.13.7 NMAC - N, 05-15-2001]  
[Definitions for this Part can be found in 19.10.1.7 NMAC.]

**19.10.13.8 - 19.10.13.1300 [RESERVED]**  
[19.10.13.8 - 19.10.13.1300 NMAC - N, 05-15-2001]

**19.10.13.1301   ANNUAL REPORT:** The Division shall prepare a report of mining and reclamation practices in New Mexico to be presented to the Commission annually at a public meeting with opportunity for public comment.  
[7-12-94, 2-15-96; 19.10.13.1301 NMAC – Rn, 19 NMAC 10.2.13.1301, 05-15-2001]

**19 10.13.1302   CONTENTS:** The report shall contain:  
**A.** a general description of mining operations and reclamation practices in the state including production figures for the state;  
**B.** proposed amendments to 19.10 NMAC, if any, to provide for the protection of the environment and to consider the economic effects of 19.10 NMAC; and  
**C.** any other information the Director considers necessary to be presented to the Commission pertinent to 19.10 NMAC or the Act.  
[7-12-94, 2-15-96; 19.10.13.1302 NMAC – Rn, 19 NMAC 10.2.13.1302, 05-15-2001]

**19 10.13.1303   COORDINATION AMONG AGENCIES:**  
**A.** Avoidance of duplicative and conflicting requirements will be accomplished through coordinated procedures that address the following:  
**(1)** Avoid imposing requirements which are duplicative of or which conflict with any other applicable state or federal law, regulation or standard.

(2) Enforcement of other statutes or regulations to be conducted by the agency charged with that responsibility under the applicable state or federal statute or regulation.

(3) Information provided to other agencies may be provided to the Director to partially or completely meet these requirements.

(4) Financial assurance required under the Act shall not duplicate nor be less comprehensive than federal or state financial requirements.

(5) Maintain a location or locations for maps and other information to assist in the determination of whether lands are not subject to minimal impact exploration and mining.

(6) Coordination of inspections with other regulatory agencies.

**B.** Coordination of Review: The Director shall, as appropriate, consult with the staff of other federal and state agencies responsible for the review of mining operations for compliance with other applicable laws and the issuance of permits for the mining operations, for the purpose of avoiding duplication and conflicting requirements of the Act and 19.10 NMAC.

[[7-12-94, 2-15-96; 19.10.13.1303 NMAC – Rn, 19 NMAC 10.2.13.1303, 05-15-2001]

**History of 19.10.13 NMAC:**

**Pre-NMAC History:**

Material in this part was derived from that previously filed with the commission of public records - state records center and archives as:

Rule 13, Process of Review of Mining and Reclamation Practices, filed 07-12-94.

**History of Repealed Material: [Reserved]**

**Other History:**

Rule 13, Process of Review of Mining and Reclamation Practices, filed 07-12-94, renumbered and reformatted as Subpart 13 of 19 NMAC 10.2, New Mexico Mining Act Implementation, filed 01-31-96.

19 NMAC 10.2, Subpart 13, Process of Review of Mining and Reclamation Practices, filed 01-31-96 was renumbered and reformatted to 19.10.13 NMAC, effective 05-15-2001.