Mining Near Lines of Railways: 
Guidelines for British Columbia’s Provincial Industrial Railways

SHORT TITLE
1. These Guidelines may be cited as the Mining Near Lines of Railways Guidelines.

INTERPRETATION
2. In these Guidelines:
   “non-railway works” means a mine or an oil or gas well, and
   “MOTI” means the provincial Ministry of Transportation and Infrastructure

APPLICATION
3. These Guidelines apply in respect of any owner, operator or lessee of a non-railway works that constructs, alters or operates, after the coming into force of these Guidelines, any non-railway works within the space enclosed by a vertical plane located 50 m from each side of a line of railway and measured horizontally at right angles to the nearest rail.

PROHIBITION
4. No owner, operator or lessee of a non-railway works shall construct, alter or operate a non-railway works in a manner that constitutes a threat to safe railway operations.

NOTICE
5. (1) No owner, operator or lessee of a non-railway works shall construct, alter or operate the non-railway works, unless the owner, operator or lessee has given at least 60 days notice, in writing, to the railway company that owns the line of railway at the location of the works.
   (2) At the same time as a notice referred to in subsection (1) is given, the owner, operator or lessee shall send a copy of the notice to the MOTI.

6. A notice referred to in section 5 shall be accompanied by
   (a) a plan and profile of the proposed or existing non-railway works and of the portion of the line of railway adjacent to those works;
   (b) a description of the method of construction, alteration or operation;
   (c) an assessment of any threat to safe railway operations;
   (d) the measures taken, or proposed to be taken, to ensure safe railway operations; and
   (e) any other information that the railway company may require to determine if there is a threat to safe railway operations.

INSPECTION

THREATS TO SAFE RAILWAY OPERATIONS
8. Where a railway company believes that the construction, alteration or operation of a non-railway works may constitute a threat to safe railway operations, and the railway company and the owner, operator or lessee of the non-railway works are unable to resolve the issue, the railway company shall advise the MOTI in writing of the potential threat.