

TITLE 25. ENVIRONMENTAL PROTECTION
PART I. DEPARTMENT OF ENVIRONMENTAL PROTECTION
SUBPART C. PROTECTION OF NATURAL RESOURCES
ARTICLE I. LAND RESOURCES
CHAPTER 77. NONCOAL MINING
SUBCHAPTER A. GENERAL PROVISIONS

§ 77.1. Definitions.

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

* * *

Mine opening blasting-Blasting conducted for the purpose of constructing a shaft, slope, drift, or tunnel mine opening for an underground mine, either operating or under development, from the surface down to the point where the mine opening connects with the mineral strata to be or being extracted.

Environmental acts-The term includes the following:

- (i) The Administrative Code of 1929 (71 P. S. §§ 51--720.13).
- (ii) The Air Pollution Control Act (35 P. S. §§ 4001--4015).
- (iii) The Clean Streams Law (35 P. S. §§ 691.1--691.1001).
- (iv) The Dam Safety and Encroachments Act (32 P. S. §§ 693.1--693.27).
- (v) The Pennsylvania Solid Waste Management Act (repealed) and Solid Waste Management Act (35 P. S. §§ 6018.101--6018.1003).
- (vi) The Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1--1396.31).

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SUBCHAPTER I. ENVIRONMENTAL PROTECTION PERFORMANCE STANDARDS

§ 77.564. Surface blasting requirements.

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(b) Blasting shall be conducted between sunrise and sunset, at times announced in the blasting schedule[.], **except that mine opening blasting conducted after the second blast, for that mine opening, may be conducted 24-hours a-day, 7-days a-week.**

(c) The Department may specify more restrictive time periods, based on public requests or other relevant information, according to the need to adequately protect the public from [excessive noise] **vibration or safety hazards.**

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**CHAPTER 87. SURFACE MINING OF COAL
SUBCHAPTER A. GENERAL PROVISIONS**

§ 87.1. Definitions.

The following words and terms, when used in this chapter, have the following meanings unless the context clearly indicates otherwise:

* * *

Mine opening blasting-**Blasting conducted for the purpose of constructing a shaft, slope, drift, or tunnel mine opening for an underground mine, either operating or under development, from the surface down to the point where the mine opening connects with the coal seam to be or being extracted.**

Ephemeral stream-A water conveyance which lacks substrates associated with flowing waters and flows only in direct response to precipitation in the immediate watershed or in response to melting snowpack and which is always above the local water table.

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**SUBCHAPTER E. SURFACE COAL MINES: MINIMUM ENVIRONMENTAL
PROTECTION PERFORMANCE STANDARDS**

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§ 87.124. Use of explosives: general requirements.

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(b) Blasts that use more than 5 pounds of explosive or blasting agents shall be conducted according to the schedule required by § 87.12[5]6_(relating to use of explosives: [preblasting survey] **public notice of blasting schedules**).

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§ 87.126. Use of explosives: public notice of blasting schedule.

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(b) Blasting schedule contents.

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(2) The blasting schedule shall contain at a minimum the following:

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(ii) Dates and time periods when explosives are to be detonated.
[Each period may not exceed 4 hours.]

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§ 87.127. Use of explosives: surface blasting requirements.

(a) Blasting shall be conducted between sunrise and sunset, at times announced in the blasting schedule[.], **except that mine opening blasting conducted after the second blast, for that mine opening, may be conducted 24-hours a-day, 7-days a-week.**

(b) The Department may specify more restrictive time periods, based on public requests or other relevant information, according to the need to adequately protect the public from **[excessive noise] vibration or safety hazards.**

* * *

(f) Requirements for blasting are as follows:

(1) Public highways and entrances to the operation shall be barricaded and guarded by the operator if the highways and entrances to the operations are located within [1,000] 800 feet of a point where a blast is about to be fired. **The operator may use an alternative measure to this requirement if the operator demonstrates, to the Department's satisfaction, that the alternative measure is more effective at protecting persons and property from the adverse affects of a blast. Alternative measures include:**

(i) Slowing traffic.

(ii) Using mats to suppress fly rock.

(iii) Designing the blast to prevent damage or injury to persons and property located on the public highways or at the operation's entrances by using design elements such as:

(A) Orienting the blast so that the direction of relief is away from public highways or operation entrances.

(B) Adjusting blast design parameters including:

(I) The hole's diameter.

(II) The number of rows.

(III) The number of holes.

(IV) The amount and type of explosive.

(V) The burden and spacing.

(VI) The amount and type of stemming.

(VII) The powder factor.

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**CHAPTER 88. ANTHRACITE COAL
SUBCHAPTER A. GENERAL PROVISIONS
PRELIMINARY PROVISIONS**

§ 88.1. Definitions.

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

* * *

Mine opening blasting-Blasting conducted for the purpose of constructing a shaft, slope, drift, or tunnel mine opening for an underground mine, either operating or under development from the surface down to the point where the mine opening connects with the coal seam to be or being extracted.

Ephemeral stream-A water conveyance which lacks substrates associated with flowing waters and flows only in direct response to precipitation in the immediate watershed or in response to melting snowpack and which is always above the local water table.

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**SUBCHAPTER B. SURFACE ANTHRACITE COAL MINES: MINIMUM
ENVIRONMENTAL PROTECTION PERFORMANCE STANDARDS**

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§ 88.135. Blasting: surface blasting requirements.

(a) Blasting shall be conducted between sunrise and sunset [.] **except that mine opening blasting conducted after the second blast for that mine opening may be conducted 24 hours a day 7-days a- week.**

(b) The Department may specify more restrictive time periods, based on other relevant information, according to the need to adequately protect the public **from vibration or safety hazards.**

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(f) Blasting operations shall meet the following requirements:

(1) Public highways and entrances to the operation shall be barricaded and guarded by the operator if the highways and entrances to the operations are located within [1,000] **800** feet of a point where a blast is about to be fired. **The operator may use an alternative measure to this requirement if the operator demonstrates, to the Department's satisfaction, that the alternative measure is effective at protecting persons and property from the adverse affects of a blast. Alternative measures include:**

(i) Slowing traffic.

(ii) Using mats to suppress fly rock.

(iii) Designing the blast to prevent damage or injury to persons and property located on the public highways or at the operation's entrances by using design elements such as:

(A) Orienting the blast so that the direction of relief is away from public highways or operation entrances.

(B) Adjusting blast design parameters including:

(I) The hole's diameter.

(II) The number of rows.

(III) The number of holes.

(IV) The amount and type of explosive.

(V) The burden and spacing.

(VI) The amount and type of stemming.

(VII) The powder factor.

SUBCHAPTER F. ANTHRACITE UNDERGROUND MINES

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§ 88.493. Minimum environmental protection performance standards.

A person who conducts underground mining activities shall comply with the performance standards and design requirements of this section. The following performance standards shall be met:

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(7) Use of explosives shall include:

(i) A person who conducts surface blasting activities incident to underground mining activities, including, but not limited to, [**initial rounds of slopes, shafts and tunnels,**] **mine opening blasting** shall conduct the activities in compliance with §§ 88.45 and 88.134--88.137.

(ii) A person who conducts underground blasting activities shall comply with this chapter and applicable State and Federal laws and regulations in the use of explosives.

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CHAPTER 89 Underground Mining of Coal and Coal Preparation Facilities
SUBCHAPTER A. EROSION AND SEDIMENTATION CONTROL

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§ 89.5. Definitions

The following words and terms, when used in this chapter, have the following meanings unless the context clearly indicates otherwise:

* * *

Mine opening blasting-**Blasting conducted for the purpose of constructing a shaft, slope, drift, or tunnel mine opening for an underground mine, either operating or under development, from the surface down to the point when the mine opening connects with the coal seam to be or being extracted.**

Ephemeral stream-A water conveyance which lacks substrates associated with flowing waters and flows only in direct response to precipitation in the immediate watershed or in response to melting snowpack and which is always above the local water table.

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§ 89.62. Use of Explosives.

Each person who conducts surface blasting activities incident to underground mining activities, including, but not limited to, [initial rounds of slopes, shafts and tunnels] **mine opening blasting**, shall conduct the activities in compliance with Chapter 87 (relating to surface mining of coal).

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CHAPTER 210. BLASTERS LICENSE

§ 210.11. Definitions

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

* * *

Mine opening blasting-Blasting conducted for the purpose of constructing a shaft, slope, drift, or tunnel mine opening for an underground mine, either operating or under development, from the surface down to the point where the mine opening connects with the mineral strata to be or being extracted.

Person-A natural person.

§ 210.12. Scope.

This chapter applies to persons engaging in the detonation of explosives within this Commonwealth. **Except for persons engaging in mine opening blasting, [T]** this chapter does not apply to persons authorized to detonate explosives or to supervise blasting activities under:

- (1) The Pennsylvania Anthracite Coal Mine Act (52 P. S. §§ 70.101-70.1405).
- (2) The Pennsylvania Bituminous Coal Mine Act (52 P. S. §§ 701-101-701-706).

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§ 210.17. Issuance and renewal of licenses.

(a) A blaster's license is issued for a specific classification of blasting activities. The classifications will be determined by the Department and may include general blasting (which includes all classifications except demolition, **mine opening blasting** and underground noncoal mining), trenching and construction, seismic and pole line work, well perforation, surface mining, underground noncoal mining, **mine opening blasting**, industrial, limited and demolition.

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