

**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:

* * *

Blasting-The detonation of one or more charges of explosives for the purpose of breaking rock or mineral to facilitate excavation.

Bond-An instrument by which a permittee assures faithful performance of the requirements of the environmental acts and the act and applicable regulations promulgated thereunder.

* * *

Entry blasting-Blasting conducted for the purpose of constructing a shaft, slope, drift, or tunnel entry for an underground mine, either operating or under development, from the surface down to the point where the entry 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- (v) The Pennsylvania Solid Waste Management Act (repealed) and Solid Waste Management Act (35 P. S. §§ 6018.101--6018.1003).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).

* * *

SUBCHAPTER I. ENVIRONMENTAL PROTECTION PERFORMANCE STANDARDS

§ 77.564. Surface blasting requirements.

* * *

(b) Blasting shall be conducted between sunrise and sunset, at times announced in the blasting schedule; **provided that Entry blasting conducted after the second blast, may be conducted 24 hours per day, 7 days per week, unless modified by the department.**

* * *

**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:

* * *

Blasting-The detonation of one or more charges of explosives for the purpose of breaking rock, coal or mineral to facilitate excavation.

Coal processing waste-Earth materials which are separated and wasted from the product coal during cleaning, concentrating or other processing or preparation of coal.

* * *

Entry blasting-Blasting conducted for the purpose of constructing a shaft, slope, drift, or tunnel entry for an underground mine, either operating or under development, from the surface down to the point where the entry 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.

* * *

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

* * *

§ 87.124. Use of explosives: general requirements.

* * *

(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**).

* * *

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

* * *

(b) Blasting schedule contents.

* * *

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

* * *

(ii) Dates and time periods when explosives are to be detonated. Each period may not exceed 4 hours; **provided that for entry blasting after the second blast, the period may exceed 4 hours.**

* * *

§87.127. Use of explosives: surface blasting requirements.

(a) Blasting shall be conducted between sunrise and sunset, at times announced in the blasting schedule; provided **that entry blasting conducted after the second blast may be conducted 24 hours per day, 7 days per week, unless modified by the department.**

* * *

(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 feet of a point where a blast is about to be fired.] Blasting may not be conducted within 800 feet of a public highway, unless precautionary measures are taken to safeguard the public.**

* * *

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:

* * *

Blasting-The detonation of one or more charges of explosives for the purpose of breaking rock, coal or mineral to facilitate excavation.

Bottom rock-The rock stratum upon which a coal seam rests, which is the underclay or seat-earth which stratigraphically underlies the coal seam except in complex geologic settings such as overturned folds. The term is synonymous with the highwall in most anthracite mining operations.

* * *

Entry blasting-Blasting conducted for the purpose of constructing a shaft, slope, drift, or tunnel entry for an underground mine, either operating or under development from the surface down to the point where the entry 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.

* * *

DRAFT
June 3, 2005

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

* * *

§ 88.135. Blasting: surface blasting requirements.

(a) Blasting shall be conducted between sunrise and sunset; provided **that entry blasting conducted after the second blast, may be conducted 24 hours per day, 7 days per week, unless modified by the department.**

* * *

(f) Blasting operations shall meet the following requirements:

(1) **[Public highways and all entrances to the operation shall be barricaded and guarded by the operator when the highways and entrances to the operations are located within 1,000 feet of any point where a blast is about to be fired.] Blasting may not be conducted within 800 feet of a public highway, unless precautionary measures are taken to safeguard the public.**

* * *

SUBCHAPTER F. ANTHRACITE UNDERGROUND MINES

* * *

§ 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:

* * *

(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,**] **entry 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.

* * *

**CHAPTER 89 Underground Mining of Coal and Coal Preparation Facilities
Subchapter A. Erosion and Sedimentation Control**

* * *

§ 89.5. Definitions

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

* * *

Blasting-The detonation of one or more charges of explosives for the purpose of breaking rock, coal or mineral to facilitate excavation.

Cropland-Land used for the production of adapted crops for harvest, along or in a rotation with grasses and legumes, and includes row crops, small grain crops, hay crops, nursery crops, orchard crops and other similar specialty

* * *

Entry blasting-Blasting conducted for the purpose of constructing a shaft, slope, drift, or tunnel entry for an underground mine, either operating or under development, from the surface down to the point when the entry 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.

* * *

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] **entry blasting**, shall conduct the activities in compliance with Chapter 87 (relating to surface mining of coal).

* * *