Proposed Rulemaking
25 Pa. Code Chapters 210 and 211
Handling and Use of Explosives

Environmental Quality Board
Meeting
September 15, 2015

Tom Wolf, Governor
John Quigley, Secretary
Purpose

- Seismic exploration
- Civil penalties
- Eliminate antiquated requirements
- Provide consistency and clarity for the use of explosives
- Fees
- Updates
Seismic Exploration

- Loaded hole security
- Mapping
- Product specifications
- Blast records
- Best technology detonators
- Location limitations
  - Mine sites
  - Buildings or other structures
Civil Penalties

• Applicable to non-mining explosives use
• Modeled after mining civil penalty process
Civil Penalties-Factors

- Seriousness
- Culpability
- Speed of compliance
- Cost to the commonwealth
- Savings to the violator
- History of violation
Civil Penalties-Procedures

- Notice
- Opportunity for conference
- Final assessment is appealable to EHB
Antiquated Requirements

- Eliminate permits to purchase
- Eliminate permits to sell
- Allow more than one year for magazine license renewals
- Revise air blast regulatory limit
Consistency and Clarity

- Integrates ATF requirements
- Civil penalties
Fees

• Increase existing fees
  – Blaster’s license
    ▪ New from $50 to $150
    ▪ Three-year renewal from $30 to $180

• New fees
  – BAP-paper $210
  – BAP-online $130
  – BAPBR $12
  – New security plan $225
  – Security plan modification $90
  – Magazine decommissioning $50
Updates

- Blasting activity application requirements
- Blast records
- Gases
- Highway precautions
- Seismographs and their use
- Blasting near utilities
Advisory Board Collaboration

- MRAB recommendation
  - April 23, 2015
- Aggregate Advisory Board recommendation
  - May 13, 2015
DEP recommends that the board approve the proposed regulation for explosives use and handling with a 30-day comment period.
John Stefanko
Deputy Secretary for
Active and Abandoned Mine Operations

Tom Callaghan
Director, Bureau of Mining Programs