



Bureau of Mining Programs

# **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

# Recommendation

DEP recommends that the board approve the proposed regulation for explosives use and handling with a 30-day comment period.



**pennsylvania**  
DEPARTMENT OF ENVIRONMENTAL PROTECTION



**Bureau of Mining Programs**

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