

**DRAFT TECHNICAL GUIDANCE: BLASTING ACTIVITY PERMITS AND PERMITS-BY-RULE**

**DEPARTMENT OF ENVIRONMENTAL PROTECTION  
BUREAU OF MINING AND RECLAMATION**

**DOCUMENT NUMBER:** 562-2100-001

**TITLE:** Blasting Activity Permits and Permits-By-Rule

**EFFECTIVE DATE:** (to be determined)

**AUTHORITY:** Administrative Code of 1929 (Section 1917-A) and 25 PA Code Chapter 211

**POLICY:** The Department only allows blasting to occur after a blasting activity permit has been issued. The Bureau of District Mining Operations shall, in a consistent way, process, review, and dispose of applications for blasting activity permits.

**PURPOSE:** To provide standardized review and approval methods for blasting activity permits.

**APPLICABILITY:** This guidance applies to all blasting activities, except those covered by permits issued under the Surface Mining Conservation and Reclamation Act and the Non-Coal Surface Mining Conservation and Reclamation Act.

**DISCLAIMER:** The policies and procedures outlined in this guidance document are intended to supplement existing requirements. Nothing in the policies or procedures shall affect more stringent regulatory requirements.

The policies and procedures herein are not an adjudication or a regulation. There is no intent on the part of the Department to give these rules that weight or deference. This document establishes the framework, within which the Department will exercise its administrative discretion in the future. The Department reserves the discretion to deviate from this policy statement if circumstances warrant.

**PAGE LENGTH:** 5

**LOCATION:** Volume 12, Tab 33

## **TECHNICAL GUIDANCE:**

### **BLASTING ACTIVITY PERMIT APPLICATION**

#### **Initial Processing**

Upon receipt of an application for a Blasting Activity Permit (BAP), the District Mining Office will assign a number based on the county, the year received, “40” for a blasting activity permit application, and a two digit number designating the order of receipt in that county. For example: 01014001 would represent the first BAP issued in Adams County during 2001. The District Mining Office will enter this information into eFACTS and forward the application to the Blasting and Explosives Inspectors.

District staff will also create and maintain authorization records in eFACTS using the following record types:

#### Authorization

BAP – Blasting Activity Permit  
PF Type – BLO - Blasting operation  
SF type – BL - Blasting location

#### **Application Review**

Within 12 calendar days of receipt by the District Mining Office the Blasting and Explosives Inspector will conduct a review of the BAP Application. The review will determine if the application is complete and if the provided information demonstrates with a reasonable degree of certainty that the project will not jeopardize the safety of persons and property.

#### **Application Approval**

If the Blasting and Explosives Inspector recommends approval of the application the inspector indicates approval on the application and prepares an approval letter. The application and the approval letter are forwarded to the Monitoring and Compliance Manager.

Within 2 working days of the receipt of the application and the approval letter, the Monitoring and Compliance Manager will review the case. If the Manager concurs with the recommendation, the approved application is forwarded to the District staff along with a signed approval letter.

The original copy of the approved application/permit, the map and certificate of insurance will be filed at the District Mining Office. A copy of the 2-page approved application/permit is sent to the applicant along with any addendums or other information except the certificate of insurance and the map.

#### **Application Denial or Deficiency**

If the Blasting and Explosives Inspector does not recommend approval of the application the Blasting and Explosives Inspector will prepare a denial letter. The denial letter will state that the application is denied and

explain why. In addition, the letter will include the applicant's right to appeal the decision to the Environmental Hearing Board.

The denial letter will be forwarded to Monitoring and Compliance Manager. If the Monitoring and Compliance Manager concurs, the signed denial letter and the entire application will be returned to the applicant.

If an application is incomplete but can be made acceptable with submittal of additional information, a deficiency letter, prepared and signed by the Blasting and Explosives Inspector will be sent to the applicant within 14 days of receipt of the application.

If 30 days after a deficiency letter is sent out a response is not received, a denial letter, prepared by the Blasting and Explosives Inspector, and signed by the Monitoring and Compliance Manager be sent to the applicant along with the application. The denial letter will inform the applicant that the application will be returned within 15 days and list deficiencies not addressed in the deficiency letter.

## **Application Contents**

Section 1. Will indicate the name of the project. The project name must be based on the name applied to plans, permits, or other sources so that there is no confusion as to the identity of the project. The description of the project will be in general terms and define the character of the project.

Section 2. Identifies and describes the applicant and provides contact information. This section also provides blasting contractor information in the event that the applicant is not the blasting contractor.

Section 3. Indicates the anticipated duration of the blasting in days. This section also specifies the times of the day and the days of the week that blasting will occur.

Section 4. Provides the township or municipality and county where the blasting activity will take place. This section will include an attachment of a map. The map will be to scale and indicate where the blasting will occur.

Section 5. Includes a certificate of insurance which demonstrates that the applicant has liability insurance of \$300,000 minimum.

Section 6. Provides the distance to the nearest structure and the methods that are going to be used to satisfy the monitoring requirements of Subchapter G § 211.171. If the operator chooses to blast to a scaled distance below the regulatory requirement, it must be stated that, for each blast, seismograph readings will be taken at the nearest building.

Section 7. Deals with the technical aspects of the blast loading plan.

Section 8. Provides proof of notification that residents within 200 feet (65.61 meters) of the blast site were informed of the proposed blasting operation, included as an attachment. The notification will provide general information about the blasting operation including the duration of the operation, times of the day, and days of

the week. Examples: This attachment could be a signed statement from the individual(s) who gave personal notification, listing the people notified. It could also be a copy of written material left at each residence or a copy of the material mailed with certified mail receipts, or copies of written materials left at each residence with a list of the residences where the materials were left.

Section 9. Specifies that blasts shall be designed and conducted in a manner to achieve either a minimum scaled distance of 90 or be below the maximum allowable peak particle velocity indicated by Figure 1 of §211.151 (c) at the closest building, unless the building is owned or leased by the permittee or its customer.

If the applicant wishes the Department to establish an alternative peak particle velocity or airblast level the applicant may submit these requests with this application in the form of an attachment. If a request for the Department to establish an alternative ground vibration or airblast level is submitted with the application additional review time will be necessary to complete the review. In the event that a request to establish an alternative peak particle velocity or airblast level is submitted with the application the Blasting and Explosives Inspector must notify the District Mining Office in writing or by e-mail that additional review time will be necessary for the application. If an alternative peak particle velocity or airblast level is established, the limits will be listed on the application by the Blasting and Explosives Inspector.

Section 10. Lists appropriate storage permits and permits to purchase.

Section 11. Provides the name, signature, and blaster's license of the licensed blaster who prepared the application. The licensed blaster who prepares the application must be licensed for that blasting activity.

The Blasting and Explosives Inspector will check "yes" or "no" for approval recommendation, enter the recommendation for approval date (if "yes"), enter his name, ID number and signature, in the space provided.

The Blasting and Explosives Inspector will enter a list of attachments in the space provided. The attachments will be described in general terms sufficient for their identity, in the space provided.

Comments for clarification or providing additional information may be added by the Blasting and Explosives Inspector in the area provided.

(Blasting Activity Permit Application Attached)

## **BLASTING ACTIVITY PERMITS-BY-RULE**

### **Permit-by-Rule Requirements**

Under §211.125, a person can assume they have a permit for a blasting activity if:

- (a) The blasts are designed and performed for a scaled distance of 90 or greater.
- (b) No more than 15 pounds (6.81 kilograms) of explosives are detonated per delay interval of less than 8 milliseconds.
- (c) The total charge weight per blast does not exceed 150 pounds (68.18 kilograms).

## **Notification**

The person must notify the Department through the appropriate District Mining Offices, either verbally (by phone or in person), in writing, by e-mail, or by fax prior to the initial blast. The notice must provide:

- (a) The identity of the person.
- (b) The purpose of the blasting.
- (c) The distance to the nearest building not owned or leased by the permittee or its customer.
- (d) The days of the week and times when blasting may occur.
- (e) The duration of blasting activities under this permit by rule.
- (f) The minimum scaled distance.
- (g) The maximum weight of explosives detonated per delay period of less than 8 milliseconds.
- (h) The maximum total weight of explosives per blast.
- (i) A contact person and telephone number.

## **Processing**

The District Mining Office must assign a number based on the county, the year the application was received, the number 50 for a blasting activity permit-by-rule, and a two digit number designating the order of receipt. The Office will enter the number in a log, record the information on a form and forward it to the Blasting and Explosives Inspector.

District staff will create and maintain the following record types in eFACTS:

### **Authorization**

BAPBR – Blasting Activity Permit-by-Rule

PF Type – BLO - Blasting operation

SF type – BL - Blasting location

Within 5 working days after a verbal notice, the appropriate District Mining Office must receive a written notice. The Office staff forwards a copy of the written notice to the Blasting and Explosives Inspector, and files the original.

If within 5 working days the written notice is not received, the District Mining Office contacts the Blasting and Explosives Inspector who will take the appropriate enforcement action.

The written notice from the applicant will indicate the same information provided prior to the initial blast.