

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1644 Session of
1997

INTRODUCED BY BELARDI, GEORGE, CAWLEY, STABACK, SERAFINI, LUCYK,
MUNDY, BELFANTI, TIGUE, CURRY, RAMOS, SHANER, JAMES, EACHUS,
SURRA, SCRIMENTI, CASORIO, YOUNGBLOOD, B. SMITH, STEELMAN,
PISTELLA, WALKO, ROONEY, TRELLO, C. WILLIAMS, THOMAS AND
WOJNAROSKI, JUNE 11, 1997

REFERRED TO COMMITTEE ON LABOR RELATIONS, JUNE 11, 1997

AN ACT

1 Amending the act of July 10, 1957 (P.L.685, No.362), entitled
2 "An act regulating the use of explosives in certain blasting
3 operations; requiring examination and licensing of certain
4 explosives' detonators and prescribing the fee thereof; and
5 conferring powers and imposing duties on the Department of
6 Labor and Industry," further providing for rules and
7 regulations relating to blasting effects on certain
8 structures.

9 The General Assembly of the Commonwealth of Pennsylvania
10 hereby enacts as follows:

11 Section 1. The act of July 10, 1957 (P.L.685, No.362),
12 referred to as the Explosives Use Regulation Law, is amended by
13 adding a section to read:

14 Section 3.1. Regulations on Blasting Effects.--(a) The
15 Department of Labor and Industry is authorized to and shall
16 promulgate, by regulation, specific requirements for blasting
17 operations in areas where certain factors are present. These
18 factors may include, but are not limited to, the following:

19 (1) Proximity of the proposed blast site to the following:

1 (i) A dwelling or structure.

2 (ii) Active or abandoned underground mine.

3 (iii) Disposal wells.

4 (iv) Petroleum or gas storage facilities.

5 (v) Municipal water storage facilities.

6 (vi) Fluid transmission pipelines.

7 (vii) Gas or oil collection lines.

8 (viii) Water or sewage lines.

9 (ix) Utilities.

10 (x) Gas or oil wells.

11 (2) Presence of geologic features in the area of the
12 proposed blast site that may influence the impact or effect of
13 blasting activities.

14 (3) Population density in the area of the proposed blast
15 site.

16 (4) Such other factors as are determined by the department.

17 (b) When blasting is proposed in an area where one or more
18 of the factors specified in subsection (a) are present, the
19 Department of Labor and Industry shall establish site-specific
20 limits on vibration frequency levels, airblast effects, peak
21 particle velocity and any other measures deemed appropriate to
22 control the effects of blasting on public health, safety and
23 property. Limits established under this subsection shall be
24 based on information provided to the department under subsection
25 (c) and other available information.

26 (c) When blasting is proposed in an area where one or more
27 of the factors specified in subsection (a) are present, the
28 Department of Labor and Industry may require the operator to
29 conduct such measurements, studies and tests and provide such
30 information and data as is necessary to determine acceptable

1 limits under subsection (a). These measurements, studies, tests
2 and any other reports submitted to the Department of Labor and
3 Industry must concurrently be submitted to the affected
4 municipality.

5 (d) Any determination of the Department of Labor and
6 Industry under subsection (b) or (c) shall be transmitted to any
7 affected municipality within three business days of issuing that
8 determination.

9 Section 2. This act shall take effect in 60 days.