

BLASTING REGULATIONS

2012 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Rebecca P. Edwards

Senate Sponsor: _____

LONG TITLE

General Description:

This bill provides for the regulation of explosives use by a mining operation that blasts within ~~one~~ one-half mile of a residential structure.

Highlighted Provisions:

This bill:

▸ requires a mining operation that blasts within ~~one~~ one-half mile of a residential structure to

comply with local, state, and federal law;

▸ grants rulemaking authority to the Board of Oil, Gas, and Mining to regulate a mining operation that blasts within ~~one~~ one-half mile of a residential structure; and

▸ grants rulemaking authority to the Board of Oil, Gas, and Mining to make rules, ~~in order to prevent injury or damage, that impose further, specific limitations on a~~ for a

blasting mining operation that blasts within ~~one~~ one-half mile of a residential structure ~~that address certain considerations.~~

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

40-8-24, Utah Code Annotated 1953



28 *Be it enacted by the Legislature of the state of Utah:*

29 Section 1. Section **40-8-24** is enacted to read:

30 **40-8-24. Regulation of blasting near a residential structure.**

31 (1) A mining operation that uses explosives within ~~H→~~ [one] ~~one-half~~ ←H mile of a
31a residential structure

32 may only use explosives in accordance with local, state, and federal law.

33 (2) The board shall, in accordance with Title 63G, Chapter 3, Utah Administrative
34 Rulemaking Act, make rules that regulate a mining operation's use of explosives within ~~H→~~ [one]
34a ~~one-half~~ ←H

35 mile of a residential structure, including rules that require a mining operation to:

36 (a) provide notice of upcoming blasting:

37 (i) generally to the local public; and

38 (ii) specifically to residents living within ~~H→~~ [one] ~~one-half~~ ←H mile of the proposed
38a blasting site;

39 (b) maintain a blasting record;

40 (c) mitigate explosives use to meet industry-standard vibration limits;

41 (d) monitor air blasts and ground vibration to ensure operation within industry-standard
42 limits; and

43 (e) upon request of a person who lives in or owns a structure within ~~H→~~ [1/2] ~~one-half~~ ←H
43a mile of the

44 mining operation, conduct a preblasting survey of that structure.

45 (3) ~~H→ [In order to prevent injury or damage caused by a mining operation's use of~~
46 ~~explosives within one mile of a residential structure, the] The ←H board may, in accordance~~
46a with Title

47 63G, Chapter 3, Utah Administrative Rulemaking Act, make rules that ~~H→~~ [limit] address, for a
47a mining operation that uses explosives within one-half mile of a residential structure ←H :

48 (a) the type of explosives or detonating equipment used by a mining operation;

49 (b) the size or timing of blasting at a mining operation; or

50 (c) the frequency, in inches per second, of blast vibrations at a mining operation.

50a ~~H→~~ (4) In making the rules described in Subsections (2) and (3), the board may not make a
50b rule to regulate conduct that is regulated under federal law, but may incorporate existing
50c federal law into the rules by reference. ←H