

**BLASTING REGULATIONS**

2012 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Rebecca P. Edwards**

Senate Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

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

**Highlighted Provisions:**

This bill:

▸ requires a mining operation that blasts within one 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 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 blasting mining operation that blasts within one mile of a residential structure.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

ENACTS:

**40-8-24**, Utah Code Annotated 1953

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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 one mile of a 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 one  
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 one mile of the proposed 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 1/2 mile of the  
44 mining operation, conduct a preblasting survey of that structure.

45 (3) 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 board may, in accordance with Title  
47 63G, Chapter 3, Utah Administrative Rulemaking Act, make rules that limit:

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.

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**Legislative Review Note**  
as of 1-28-12 9:49 AM

**Office of Legislative Research and General Counsel**