

**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 ~~½~~ [one] one-half ~~½~~ mile of a residential structure.

**Highlighted Provisions:**

This bill:

- requires a mining operation that blasts within ~~½~~ [one] one-half ~~½~~ 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 ~~½~~ [one] one-half ~~½~~ mile of a residential structure; and
- grants rulemaking authority to the Board of Oil, Gas, and Mining to make rules, ~~½~~ [in order to prevent injury or damage, that impose further, specific limitations on a] for a ~~½~~ blasting mining operation that blasts within ~~½~~ [one] one-half ~~½~~ mile of a residential structure ~~½~~ [:], that address certain considerations. ~~½~~

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

ENACTS:

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

---



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

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

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

(1) A mining operation that uses explosives within ~~½~~ [one] one-half ~~½~~ mile of a residential structure

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

(2) The board shall, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, make rules that regulate a mining operation's use of explosives within ~~½~~ [one] one-half ~~½~~

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

(a) provide notice of upcoming blasting:

(i) generally to the local public; and

(ii) specifically to residents living within ~~½~~ [one] one-half ~~½~~ mile of the proposed blasting site;

(b) maintain a blasting record;

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

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

(e) upon request of a person who lives in or owns a structure within ~~½~~ [1/2] one-half ~~½~~ mile of the

mining operation, conduct a preblasting survey of that structure.

(3) ~~½~~ [In order to prevent injury or damage caused by a mining operation's use of explosives within one mile of a residential structure, the] The ~~½~~ board may, in accordance with Title

63G, Chapter 3, Utah Administrative Rulemaking Act, make rules that ~~½~~ [limit] address, for a mining operation that uses explosives within one-half mile of a residential structure ~~½~~ :

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

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

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

~~½~~ (4) In making the rules described in Subsections (2) and (3), the board may not make a rule to regulate conduct that is regulated under federal law, but may incorporate existing federal law into the rules by reference. ~~½~~

---

---

Legislative Review Note

as of 1-28-12 9:49 AM

Office of Legislative Research and General Counsel

House Committee Amendments 3-2-2012 le/tjn