**Section 300.225 Use of Explosives; Control of Adverse Effects**

a) Blasting shall be conducted to prevent injury to persons and damage to public or private property outside the blasting zone.

b) Airblast limits

1) Airblast shall be controlled so that it does not exceed the values specified below at any protected structure, unless such structure is owned by the operator and not leased to any other person, or a waiver has been obtained in accordance with subsection (g) below.

|  |  |
| --- | --- |
|  Lower frequency limit of | Maximum  |
|  measuring system, Hz + 3dB | level in dB  |
|   |  |
|  0.1 Hz or lower--flat response |  134 peak |
|  2.0 Hz or lower--flat response |  133 peak |
|  6.0 Hz or lower--flat response |  129 peak |

2) The measuring systems used shall have a flat frequency response of at least 200 Hz at the upper end.

3) The person who conducts blasting may satisfy the provisions of this subsection (b) by meeting any of the three specifications in the chart in subsection (b)(1).

4) To ensure compliance with the limits contained in this Section, the Department may require an airblast measurement of any or all blasts, and may specify the location of such measurements.

c) Flyrock

 Flyrock, including blasted material traveling in the air or along the ground, but excluding dust and detonation by-products, shall not be cast beyond the blasting zone.

d) Ground vibration limits

1) In all blasting operations, except as otherwise authorized in this Section, the maximum peak particle velocity shall not exceed one inch per second at the location of any protected structure, unless such structure is owned by the operator and not leased to any other person or a waiver has been obtained in accordance with subsection (g) below.

2) In addition to the requirements in subsection (d)(1) above, when any blast is within 500 feet of a landfill, the blasting shall be conducted in order to control ground vibrations not to exceed five inches per second, at the closest part of the landfill. Blast monitoring shall comply with Section 300.220(a)(2). The ground vibration limit shall not apply to the following; a landfill in the process of being mined through; mining activities associated with the construction of a landfill; a landfill containing only inert waste; or a landfill or any cell of a landfill that does not contain a geomembrane or earth liner.

e) When the scaled distance has a value less than 65 at the nearest protected structure, a seismograph recording shall be made at or near that structure. To ensure compliance with the limits contained in this Section, the Department may require a seismograph recording of any or all blasts and may specify the location at which such recordings are made.

f) In lieu of the ground vibration limit(s) in subsection (d) above, the operator may submit a written request to the Department to use an alternative compliance method. Such written request must be supported by sufficient technical information, which may include, but is not necessarily limited to, documented approval of such method by agencies in other states which regulate blasting operations at coal and/or non-coal mineral extraction operations. Upon submittal by the operator of a request to use an alternative compliance method, the Department shall issue a written determination as to whether the technical information submitted provides sufficient justification for the alternative method to be used as a means of demonstrating compliance.

g) Waivers

1) A waiver of the airblast and ground vibration limits in subsections (b) and (d) above may be obtained by the operator in the following circumstances:

A) If the protected structure is owned by the operator and leased to any other person; or

B) If the protected structure is not owned by the operator but the owner of the structure has a bona fide financial interest in, or commercial relationship with, the mining operation. The operator shall provide written documentation of any such interest or relationship to the Department upon request.

2) The waiver shall be signed by the owner of the structure unless the operator is the owner. If the structure is leased to any other person, the waiver must be signed by both the owner and lessee.

3) The waiver shall be in writing in a form approved by the Department, and shall be submitted to the Department before conducting blasting operations in accordance with the term of the waiver.

4) The operator is responsible for keeping complete and up to date records on all waivers executed, including real estate and lease transactions that may affect the validity of the waiver. These records shall be made available for inspection by the Department.

5) The waiver provided for in this subsection (g) shall consist solely of a waiver of the airblast and ground vibration limits set forth in this Section and is not intended to exempt the operator from civil liability.

(Source: Amended at 23 Ill. Reg. 11231, effective August 26, 1999)