**Section 1816.62 Use of Explosives: Pre-Blasting Survey**

a) At least thirty (30) days before initiation of blasting in a permit area, the operator shall notify, in writing, all residents or owners of structures located within one-half (½) mile of the permit area how to request a pre-blast or condition survey.

b) Upon written request to the Department and the person who conducts the surface mining activities by a resident or owner of a dwelling or structure that is located within one-half (½) mile of any portion of the permitted area, or by the owner of a dwelling or structure at a distance greater than one-half (½) mile from the permit area but within one (1) mile of the blasting area and within an area determined by the Department to be appropriate in a particular situation on the basis of complaints or other information received by the Department, the person who conducts the surface mining activities shall promptly conduct a pre-blasting survey or a condition survey of the dwelling or structure. For any structure where, in accordance with this Section, a survey has been requested by a previous resident or previous owner and the survey has been conducted by the permittee and copies of the survey report have been provided to the previous owner or resident and the Department, the permittee shall only be required to provide a copy of the previously completed survey report to any new or subsequent owner upon written request by the new or subsequent owner. If a structure is renovated, modified, or added to, subsequent to a pre-blast survey or a condition survey, then upon request to the Department a survey of such additions, modifications and renovations shall be performed in accordance with this Section.

c) The survey shall determine the condition of the dwelling or structure and document any pre-blasting or existing damage and other physical factors that could reasonably be affected by the blasting. Structures such as pipelines, cisterns, wells and other water systems warrant special attention such as the review of construction, drilling or completion specifications; however, the assessment of these structures may be limited to surface conditions.

d) Any surveys requested more than ten (10) calendar days prior to the published scheduled beginning of blasting shall be completed by the operator before the start of blasting. If the request is made after the start of blasting the person who conducts the surface mining activity shall conduct a condition survey of the dwelling or structure. A condition survey shall contain information identical to a pre-blasting survey. The intent of this Section is to provide for either a pre-blasting or condition survey only.

e) A written report of the survey shall be prepared and signed by the person who conducted the survey. The report may include recommendations of any special conditions or proposed adjustments to the blasting procedure which should be incorporated into the blasting plan to prevent damage. Copies of the report shall be provided to the person requesting the survey and to the Department within thirty (30) days of the the date the survey was completed. If the person requesting the survey disagrees with the results of the survey, he or she may notify, in writing, both the permittee and the Department of the specific areas of disagreement. Instructions as to whom and to where the written comments on the results of the survey should be forwarded shall be included with the survey report.

(Source: Amended at 11 Ill. Reg. 8131, effective July 1, 1987)