

proval of the board of county commissioners of the county, convey any such project to the cities, boroughs, towns or townships, or any of them, for the benefit of which the project was acquired, constructed, improved, maintained or operated, or to any Authority or Authorities organized by such cities, boroughs, towns or townships, or any of them for the purpose of taking over such project. All such conveyances shall be made subject to any and all obligations incurred by such county Authority with respect to the project or projects conveyed.

APPROVED—The 10th day of July, A. D. 1957.

GEORGE M. LEADER

No. 362

AN ACT

Regulating the use of explosives in certain blasting operations; requiring examination and licensing of certain explosives' detonators and prescribing the fee thereof; and conferring powers and imposing duties on the Department of Labor and Industry.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Use of explosives.

Section 1. Definitions.—As used in this act—

Definitions.

(1) "Explosives" mean any chemical compound or other substance intended for the purpose of producing an explosion, or that contains oxidizing and combustible units or other ingredients in such proportions or quantities that ignition by detonation may produce an explosion, capable of causing injury to persons or damage to property.

(2) "Blasting Operation" means the use of explosives in the blasting of stone, rock, ore or any other natural formation, or in any construction or demolition work in which six or more employes are engaged, but shall not include its use in agricultural operations or in anthracite or bituminous coal mines or strip mining operations.

(3) "Blaster" means a person licensed to fire or detonate explosives in blasting operations.

Section 2. Examination and Licensing of Blasters; Fees.—No person shall detonate explosives in any blasting operation unless he has passed an examination, prescribed by the Department of Labor and Industry, which shall test the examinee's skill and knowledge of the principles and practice of blasting operations and the storage, moving, handling and detonation of explo-

Examination, license and fee required by blasters.

sives. Application for examination as a blaster shall be in writing upon a form furnished by the department and shall be accompanied by a fee of ten dollars (\$10). If the applicant is *successful in passing the examination, a license indicating his competency to detonate explosives shall be issued upon the payment of an additional fee of five dollars (\$5). Anything hereinbefore to the contrary notwithstanding, the department shall issue a license without examination to any applicant who shall show to the department that he has, at the effective date hereof, had three years experience in the handling and use of explosives. Each blaster shall be required to renew his license each year by application to the department, which application shall be accompanied by a fee of two dollars (\$2). The Secretary of Labor and Industry may suspend any license for due cause but no license may be revoked until the licensee has been granted a hearing.

Control of blasting effects.

Section 3. Blasting Operations Conducted in Accordance With Regulations.—(a) The use of explosives for the purpose of blasting in the neighborhood of any public highway, stream of water, dwelling house, public building, school, church, commercial or institutional building, or pipe line, shall be done in accordance with the provisions of this section.

(b) In blasting operations, the ground displacement shall not be in excess of .03 inches at or near any dwelling house, public building, school, church, commercial or institutional building.

(c) When blasting operations, other than those conducted at a fixed site as a part of an industry or business operated at such site, are to be conducted within two hundred feet of a pipe line, the blaster or person in charge of the blasting operations shall take due precautionary measures for the protection of the line, and shall notify the owner of the line or his agent that such blasting operations are intended.

(d) Blasting operations near streams shall be prohibited in all cases where the effect of the blasting is liable to change the course or channel of any stream without first obtaining a permit from the Department of Labor and Industry which has been approved by the Water and Power Resources Board.

(e) Blasting operations shall not be conducted within eight hundred feet of any public highway, unless due precautionary measures are taken to safeguard the public.

(f) Mudcapping in blasting operations shall be permitted only where it would endanger the safety of the

* "suceesful" in original.

workmen to drill the rock or material to be blasted. If mudcapping is necessary, no more than ten pounds of explosive shall be used for each charge.

(g) All trunk lines of detonating fuse may be covered, except that trunk lines of detonating fuse shall be covered if located within eight hundred feet of any public highway, dwelling house, public building, school, church, commercial or institutional building.

Section 4. Promulgation of Rules and Regulations Authorized.—The Department of Labor and Industry may promulgate additional rules or regulations it deems necessary not inconsistent with law to effectuate the provisions of this act.

Rules and regulations authorized.

Section 5. Penalties.—Any person violating any of the provisions of this act, or any of the rules or regulations of the Department of Labor and Industry made pursuant thereto, shall, upon conviction in a summary proceeding, be sentenced to pay a fine of not less than ten dollars (\$10) nor more than one hundred dollars (\$100), and upon failure to pay such fine and costs, shall undergo imprisonment for not more than thirty days.

Violation and penalty.

APPROVED—The 10th day of July, A. D. 1957.

GEORGE M. LEADER

No. 363

AN ACT

Authorizing and directing the Department of Highways to remove, relocate and reconstruct * the Soldiers and Sailors Monument, at Harrisburg, Pennsylvania, constituting an obstruction on a State and Federal Highway.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Department of Highways.

Section 1. The Department of Highways is hereby authorized and directed to remove, relocate and reconstruct the Soldiers and Sailors Monument presently located within the intersection of North Second Street and State Street, in the City of Harrisburg, Dauphin County, and which monument constitutes an obstruction upon a State and Federal highway endangering the traveling public.

Authority to relocate a certain monument.

Section 2. The monument shall not be moved to a new location without the prior approval of the State Art Commission and the City of Harrisburg.

Necessary approval.

Section 3. The expenses and costs in removing, relocating and reconstructing said monument shall be paid

Allocation from highway funds.

* "of" in original.