

DIVISION OF ENGINEERING  
475 Valley Road  
Wayne, NJ 07470  
(973) 694-1800  
Extension: 3221  
FAX: (973) 694-8136

## BLASTING OPERATIONS PERMIT APPLICATION

01. APPLICANT INFORMATION

NAME \_\_\_\_\_ TELEPHONE ( ) \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP CODE \_\_\_\_\_

02. LOCATION OF BLASTING OPERATIONS

NAME OF DEVELOPMENT \_\_\_\_\_  
ADDRESS/LOCATION \_\_\_\_\_  
BLOCK \_\_\_\_\_ LOT (S) \_\_\_\_\_

03. NEW JERSEY LICENSED BLASTER

NAME \_\_\_\_\_ TELEPHONE ( ) \_\_\_\_\_  
NAME OF FIRM \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP CODE \_\_\_\_\_  
NJ LICENSE NO. \_\_\_\_\_ DATE \_\_\_\_\_

04. INSURANCE INFORMATION

NAME OF INSURANCE CO. \_\_\_\_\_  
COVERAGE AMOUNT/TYPE \_\_\_\_\_  
COVERAGE AMOUNT/TYPE \_\_\_\_\_  
COVERAGE AMOUNT/TYPE \_\_\_\_\_  
COVERAGE AMOUNT/TYPE \_\_\_\_\_

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**05. BONDING INFORMATION**

SURETY \_\_\_\_\_

AMOUNT \_\_\_\_\_

**06. APPLICATION FEE**

ESTIMATED VOLUME (CUBIC YARD) \_\_\_\_\_

0 CY TO 500 CY            \$100.00

MORE THAN 500 CY        \$100.00 PLUS \$0.35/CY

FEE CALCULATION \_\_\_\_\_

**07. APPLICANT'S COMPLIANCE WARRANT**

I hereby certify that I have read Chapter 52 of the Code of the Township of Wayne (available at the Township Engineering offices) and agree to comply with the conditions and provisions set forth therein.

Signature of Applicant \_\_\_\_\_

Printed Name \_\_\_\_\_

Date \_\_\_\_\_

**08. APPLICANT'S CERTIFICATION**

I hereby certify that the information contained on this application (and any attachments) is true, accurate and complete.

Signature of Applicant \_\_\_\_\_

Printed Name \_\_\_\_\_

Date \_\_\_\_\_

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**09. OWNER'S AUTHORIZATION**

I, (name) \_\_\_\_\_ the owner of the property listed on this blasting Operations Permit Application hereby authorize the above named applicant to act as my agent/representative in all matters pertaining to this application.

Signature of Owner \_\_\_\_\_

Printed Name \_\_\_\_\_

Date \_\_\_\_\_

**10. PROPERTY OWNER'S ENDORSEMENT**

I hereby certify that I, \_\_\_\_\_, own the property identified in this application, and that this endorsement grants permission for the conduct of the proposed activity.

Signature of Owner \_\_\_\_\_

Printed Name \_\_\_\_\_

ADDRESS IF DIFFERENT FROM ABOVE \_\_\_\_\_

DATE \_\_\_\_\_

**DO NOT WRITE BELOW**

**TOWNSHIP USE ONLY**

DATE OF RELEASE: \_\_\_\_\_

EXPIRATION DATE: \_\_\_\_\_

FEE: \_\_\_\_\_

# TOWNSHIP OF WAYNE

## BLASTING OPERATIONS PERMIT APPLICATION CHECKLIST

DIVISION OF ENGINEERING  
475 Valley Road  
Wayne, NJ 07470  
(201) 694-1800  
FAX: (201) 694-8136  
EXTENSION: 3221

PROJECT NAME: \_\_\_\_\_

LOCATION: \_\_\_\_\_

DATE: \_\_\_\_\_ REVIEWED BY: \_\_\_\_\_

**SUBMITTED**

YES NO

1.

APPLICATION FORM

2.

PERMIT FEE

Up to and including 500 C.Y. \$100.00

Over 500 C.Y. = \$100.00 + (\$0.35 x Total C.Y.) \$ \_\_\_\_\_

3.

COPIES OF PRE-BLAST SURVEYS

A. Planning Board file copies

B. Affected Homeowner's copies (Proof of mailing)

C. Map of Surveyed Area

4.

RESULTS OF TEST BORINGS (if required)

5.

RESULTS OF WELL TESTING (if required)

6.

BLASTING PLAN

A. Location

B. Area affected

C. Dates and times of blasting

D. Amount of rock to be removed

E. Completion date

7.

INSURANCE COVERAGE

Copy of insurance policy and endorsement verifying blasting coverage:

A. \$1,000,000 bodily injury and property damage

B. \$2,000,000 completed operations aggregate

C. \$2,000,000 general aggregate

D. \$5,000,000 umbrella policy

8.

BOND

Minimum \$500,000.00

Letter of approval from Township Legal Department

Revised March 1, 1996

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## CHAPTER 52 BLASTING

- § 52-1. **Intent.**
- § 52-2. **Word usage.**
- § 52-3. **Observance of other provisions.**
- § 52-4. **Filing of application; contents.**
- § 52-5. **Permit fee; time limit; revocation.**
- § 52-6. **Notification prior to blasting; restrictions.**
- § 52-7. **Preblast survey; insurance; bond; blasting plan; postblast survey.**
- § 52-8. **Damage caused by blasting; permission to resume.**
- § 52-9. **Violations and penalties.**
- § 52-10. **Conditions for approval.**
- § 52-11. **Exemptions.**

[HISTORY: 1988 Code §§ 52-1 — 52-11 as amended through December 31, 2013]

### § 52-1. **Intent.**

The Township Council finds that the effects of blasting in conjunction with land development are detrimental to the health, safety and well-being of the residents of the Township of Wayne, as well as dangerous to the structure of homes and other improvements located adjacent to and in the area undergoing blasting.

### § 52-2. **Word usage.**

Whenever any words and phrases are used in this chapter, the meanings respectively ascribed to them in the statutes of the State of New Jersey and the rules and regulations of the New Jersey Department of Labor and Workforce Development shall be deemed to apply to such words and phrases used herein.

### § 52-3. **Observance of other provisions.**

The provisions of this chapter shall not relieve any person of the duty to observe other and more restrictive provisions as set forth in the statutes of the State of New Jersey and the rules and regulations of the New Jersey Department of Labor and Workforce Development.

### § 52-4. **Filing of application; contents.**

Any person desiring to do blasting or related operations in the Township of Wayne shall file an application with the Township Engineer containing the following information: his/her name and address, the name of his/her insurance company, the amount of insurance, the type of insurance and the date and number of the State permit.

**§ 52-5. Permit fee; time limit; revocation.**

- A. The permit fee for blasting or use of blasting materials shall be as provided in Chapter 75, Fees.
- B. Permits shall be valid for one year unless sooner revoked.
- C. Revocation of permit; reinstatement.
  - (1) A blasting permit may be revoked by the Township Engineer for the following reasons:
    - (a) Failure to furnish a preblast and/or postblast survey as required;
    - (b) Failure to maintain insurance coverage as required by § 52-7D(1);
    - (c) Expiration of blasting bond as required by § 52-7D(2); or
    - (d) Failure to furnish seismograph records and blasting logs and, when requested by the Township Engineer or the Township's consultant, those records contained in N.J.A.C. 12:190-3.19.
  - (2) A blasting permit shall be reinstated upon submission to the Township of the documents set forth above and the approval of said documents by the Township Engineer.

**§ 52-6. Notification prior to blasting; restrictions.**

The permittee shall notify the Police Department and the Township Engineer prior to blasting. The Township reserves the right to change, alter or restrict the hour of blasting in the interest of public safety.

**§ 52-7. Preblast survey; insurance; bond; blasting plan; postblast survey.**

- A. As used in this chapter, the term "developer" shall be defined as said term is defined in Chapter 134, § 134-2, of the Code of the Township of Wayne.
- B. Preblast survey; blasting hours.
  - (1) Before any blasting may be performed on individual lots or common improvements, a developer shall at its sole expense be responsible for supplying a preblast survey for all properties that the Planning Board and/or Board of Adjustment, as the case may be, after a hearing and in consultation with the Township Engineer and Township Planner and such other experts as the Planning Board and/or Board of Adjustment, as the case may be, may engage, determines are likely to be adversely affected in any way from blasting. The properties to be surveyed may be beyond a two-hundred-foot radius and in no event shall any property within a two-hundred-foot radius of the perimeter of the project be excluded from the preblast survey required by this section. The preblast survey shall be furnished in a finished readable format, including but not limited to the development of photographs and tapes transcribed. It shall also include but not be limited to the following:
    - (a) Rock formations.
    - (b) The topography.
    - (c) The subsurface water table.
    - (d) The soil mantle thickness, consistency, quality and condition.

- (e) The forest cover quality and size/density of trees and underbrush.
  - (f) The manmade walk/berms of solid fencing.
  - (g) The type of rock and condition of the same.
  - (h) The proximity to highways and roadways.
  - (i) The location and type of water supply wells and septic systems.
- (2) In addition to supplying a preblast survey and before any blasting whatsoever may be performed the developer shall, as to all properties contained in the preblast survey:
- (a) Test well water for potability.
  - (b) Test all existing pumps for proper functions in connection with the maximum flow test.
- (3) The preblast survey shall be filed with the Township Engineer and Planning Board and/or Board of Adjustment, as the case may be, and copies of the same shall be distributed to all property owners affected.
- (4) Blasting shall be permitted during the hours of 9:00 a.m. and 2:30 p.m., and no blasting shall be permitted on Saturdays, Sundays, holidays or during the times when children are going to and from school.
- (5) Within 30 days of completion of the blasting the developer shall be responsible for supplying at its sole expense a postblast survey for all properties that were included in the preblast survey required by this subsection. The Township Engineer may require the inclusion in the postblast survey of dwellings and/or structures not included in the preblast survey that have been adversely affected by the blasting. The postblast survey shall be furnished in a finished readable format, including but not limited to the development of photographs and tapes transcribed. It shall also include but not be limited to the following:
- (a) Inspection of the foundations.
  - (b) Inspection of the interior walls.
  - (c) Inspection of the ceilings.
  - (d) Inspection of the windows.
  - (e) Inspection of the exterior structures.
  - (f) Inspection of the accessory buildings.
  - (g) Inspection of the masonry walls.
  - (h) Inspection of the concrete patios.
  - (i) Inspection of the decks.
  - (j) Inspection of the inground swimming pools.
  - (k) A retest for water potability.
  - (l) A retest of all existing pumps for proper function in connection with the maximum flow test.
- (6) The developer shall notify the owners and occupants of the properties included in the preblast survey, in writing by certified mail, return receipt requested, no less than five days

prior to conducting the preblast survey that the survey will be conducted, stating the date or dates of the survey and the names of the individuals and/or company that will be conducting the preblast survey.

- C. Said developer shall be primarily responsible for damage from blasting, regardless of whether the blasting is performed by said developer or a subcontractor of said developer.
- D. Insurance.
- (1) The developer and any party or subcontractor performing the blasting shall obtain insurance coverage as follows:
    - (a) One million dollars bodily injury and property damage per occurrence.
    - (b) Two million dollars products/completed operations aggregate limit.
    - (c) Two million dollars general aggregate limit (other than products/completed operations).
    - (d) Five million dollars umbrella policy.
  - (2) In addition, the developer shall post a bond in an amount of not less than \$500,000 to ensure compliance with the provisions of this chapter. The bonding company issuing the bond shall be authorized to do business in the State of New Jersey and have an A.M. BEST rating of not lower than A-.
- E. In conjunction with a preblast survey as required herein, the developer shall perform or cause to be performed sufficient test borings in accordance with the recommendations of the Planning Board and/or Board of Adjustment, as the case may be, and Township Engineer to determine the amount, location and number of cubic yards of rock formation to be removed as a result of the blasting of said rock formation that is necessary for the development of the site.
- F. In addition to the foregoing requirements regarding a preblast survey, the developer shall, prior to the commencement of any blasting, submit to the Township Engineer a blasting plan in which the developer shall set forth the following information:
- (1) The location of the blasting.
  - (2) The area to be affected by the blasting.
  - (3) The dates and times of all blasting.
  - (4) The approximate amount of rock and other material to be removed.
  - (5) A scheduled completion date.
- G. The developer shall submit to the Township Engineer, upon request, seismograph records and blasting logs for each blast.

**§ 52-8. Damage caused by blasting; permission to resume.**

If any damage is incurred due to blasting, the Township may stop the blasting pending an investigation by the State Department of Labor and Workforce Development. The permittee shall not be permitted to proceed until approval is obtained from the State Department of Labor and Workforce Development.



**§ 52-9. Violations and penalties.**

Unless another penalty is expressly provided by New Jersey statutes or by the rules and regulations of the New Jersey Department of Labor and Workforce Development, every person convicted of a violation of a provision of this chapter or any supplement thereto shall be liable to a penalty as indicated in Chapter 1, Section 1-15, Violations and penalties.

**§ 52-10. Conditions for approval.**

The Township Council directs the Township of Wayne Planning Board and/or Board of Adjustment, as the case may be, to impose reasonable conditions for approval in all applications where blasting may be required to prepare or develop the site; the condition to be so imposed shall include, but shall not be limited to, the following:

- A. Requiring as a condition for Municipal Planning Board and/or Board of Adjustment, as the case may be, approval that the developer agree on behalf of himself/herself as well as on behalf of his/her blasting contractor that the developer and his/her blasting contractor will participate in a preconstruction conference for the purpose of minimizing the adverse effects of the proposed blasting operation.
- B. Requiring as a condition precedent to Municipal Planning Board and/or Board of Adjustment, as the case may be, approval that the developer agree on behalf of himself/herself as well as on behalf of his/her blasting contractor that an on-site observer representing the Township of Wayne shall be permitted to observe and monitor all blasting operations; the Township's designated on-site observer shall receive advance written notice of not less than 24 hours in each instance where blasting takes place. All costs and expenses associated with the on-site observer shall be paid by the developer.

**§ 52-11. Exemptions.**

Any utility company, its agents, servants and/or employees, shall be exempt from the provisions of this chapter in connection with the installation of any equipment necessary for the operation of the utility, provided that the excavated material resulting from the blasting shall not exceed 1.5 cubic yards.

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