

Questions and Answers

What does the State Fire Marshal require of a mining firm?

- All blasting activities must be monitored by a seismologist, per Section 4A-2.024(4), Florida Administrative Code (FAC).
- The use of explosives is restricted to daylight hours between 8:00 a.m. and 5:00 p.m. EST time, Monday through Friday, per Section 4A-2.024(6), (FAC).
- No blasting shall occur on Saturdays, Sundays or official holidays recognized by the State of Florida pursuant to Section 110.117, Florida Statutes unless consent is granted by the State Fire Marshal. Consent for alternate blasting days and times may be granted if it is in the interest of public safety, per Section 4A-2.024(6), (FAC).

What if I have a complaint?

To report a complaint, contact:

Division of State Fire Marshal
Regulatory Licensing Section
200 East Gaines Street
Tallahassee, FL 32399-0342
(800)-861-4164
Phone: (850) 413-3624
Fax: (850) 410-2467
E-mail: fireprevention@doi.state.fl.us

FLORIDA DEPARTMENT OF INSURANCE
Division of State Fire Marshal
Regulatory Licensing Section
200 East Gaines Street
Tallahassee, FL 32399-0342



Construction Mining Operations

QA

Questions/Answers



Florida Department of Insurance
Tom Gallagher
Treasurer,
Insurance Commissioner and
State Fire Marshal

What is Construction Material Mining?

Construction material mining is defined as the use of explosives in conjunction with the extraction of limestone and sand by any person or company primarily engaged in commercial mining of limestone and sand suitable for the production of construction aggregates, sand, cement, and road base materials, per Section 552.30, F.S.

Is a permit required?

Yes. Permits are issued by the Division of State Fire Marshal Regulatory Licensing Section, per Section 552.30, F.S., and per Section 4A-2.024(10), (FAC).

What is the law?

Chapter 552, Florida Statutes, governs the manufacture, purchase, use and storage of explosives.

Are there any rules?

Yes. Florida Administrative Code Chapter 4A2, provides the rules governing the use of explosives in the State of Florida.

What do I need to provide?

Please be prepared to provide any and all information that you have about the complaint. That includes the date and time of the blast; photographs, if any; written statements of witnesses if you have taken

any, any reports of independent inspectors or experts who may have inspected your property; samples of damaged material, if you have it; and any other material or information that will support the facts leading to the complaint.

When will the investigation be completed?

While it is impossible to determine how long a particular complaint will take to investigate, the Division of State Fire Marshal strives to complete each investigation within 90 days from the date it is filed.

How will my complaint be handled?

Your complaint will be assigned a tracking number and an investigator will be assigned to investigate the concerns you have expressed.

What will the investigator do to perform the investigation?

The investigator will make contact with you to inspect the property. Contact will be made with as many of the people as possible who may have knowledge of the incident. Statements will be taken from the mining company representatives, and the investigator will gather all other evidence which relates to your complaint.

After the investigator has completed the review, a written report of findings will be forwarded to the State Fire Marshal, Tallahassee, for evaluation. A determination will be made regarding any possible actions to be taken.

What happens if the investigation of the complaint is found to be justified?

The Division of State Fire Marshal will consider taking administrative action against the company which caused the damage resulting in your complaint, per Section 4A-2.024(11), (FAC).

Administrative action can range from a monetary fine to suspension or revocation of the company's permit, per Chapter 552, F.S., and per Section 4A-2.024(11), (FAC).

Will I be compensated for my losses as a result of filing this complaint?

The Division of State Fire Marshal does not have the authority to award compensation.

If you feel you are due compensation, you should seek the advice of an attorney.

Only courts can award compensation in the form of money.