



STATE OF WASHINGTON

DEPARTMENT OF LABOR AND INDUSTRIES

Division of Occupational Safety and Health
PO Box 44600 • Olympia, Washington 98504-4600

Summary of Explosives Safety Stakeholder Group (ESSG) Meeting:

Kent Police/Fire Training Center 24523 116th Ave SE Kent, WA 98030

April 3, 2018 8:30am – 3 pm

Stakeholders in attendance represented the following organizations (in no specific order):

- Sportsman's Warehouse
- Northwest Energetics
- Private Sector
- Washington State Patrol Bomb Squad
- Stevens Pass, Avalanche Control
- Washington State Department of Transportation

Labor and Industries staff in attendance:

- Dan Massey
- Benjamin Olmsted
- Jeff Floch
- Ryan Burnham
- Kevin Walder

Definitions Used:

- **ATF** (Federal Bureau of) Alcohol, Tobacco, and Firearms
- **MSHA** Mine Safety and Health Administration
- **NFPA** National Fire Protection Association
- **OSHA** Occupational Safety and Health Administration

Sub Groups

- Rules and Licensing
- Law Enforcement
- Technical/Storage

Opening- Recap and Update Daniel Massey, Explosives Safety Supervisor

- Introductions
- Dan provided an update on stakeholder meetings to date; and, areas of concern (See Stakeholder Group Power Point Presentation)

Prior to breaking into subgroups, the larger group discussed the following topics:

- **Proposed Licensing Changes**
 - License disqualification issues
 - Align national definition of “felony” vs. WA definition
 - WA statute does not have an alien clause like Federal, remove from the code
 - Move most physical disabilities prohibitions to User licensing section to better show that this is about safety
 - Rule changes being considered
 - Change disqualifying language to “any felony” in order to better align rule with national standards
 - Add prescriptive appeals process, likely using Board of Industrial Insurance Appeals (BIIA)
 - Include “Pause Button” provision to give agency/director ability to temporarily suspend licensee privileges during indictment for certain crimes
- **Rule Alignment with National Standards**
 - NFPA vs. ATF
 - Consensus leaning toward aligning rule with NFPA standards, as ATF standards generally follow NFPA
 - Following NFPA standards would be consistent with agency’s practice of using national consensus standards regarding technical matters
- **Proposed Legislation**
 - Stakeholder driven bill to amend Chapter 70.74 RCW did not make it out of the House during this year’s short legislative session but will be resumed next year

After breaking into subgroups, the larger group collectively reviewed proposed language for Part A and Part B Chapter 296-52 WAC (Definitions and Licensing) and decided by vote which proposed changes to move forward.

See attached document.

Due Outs Law Enforcement:

- Clarify intent for Law Enforcement section of code or not

Due Outs Technical/Storage:

- Review NFPA 495 for replacement of parts E, F and what should be changed
- Send proposed changes to parts C, D

Due Outs ALL Groups:

- Decide on best date for the next meeting- July 31 or June 28
- Respond with reasons that the changes to parts A, B should not be accepted

Due Outs, Dan Massey, Labor and Industries:

- Investigate use of a directive to clarify that dealers of ammunition smokeless powders are not explosives dealers by code

Due Outs, Cathy Coates, Labor and Industries:

- Confirm date/location of next meeting:
 - Snoqualmie Pass: Tuesday, July 31, 2018 (first choice)
 - Snoqualmie Pass: Thursday, June 28, 2018 (second choice)

The following documents were available for attendees of the ESSG Stakeholder meeting:

- Agenda (04-03-2018)
- Summary of January Stakeholder meeting
- 296-52 Safety Standards for Possession, Handling, and Use of Explosives – Proposed Definitions and Licensing
- Charter