

10/04/2017 – Explosives Preliminary Rulemaking Stakeholder Meetings

Washington State Department of Labor & Industries
7273 Linderson Way SW
Tumwater, WA 98501

Attendees included those representing the following organizations:

Sportsman’s Warehouse
Pierce County
Stevens Pass
Department of Natural Resources
Wolverine West Fireworks
Subterra Inc.
Northwest Energetics Inc.
City of Richland
City of Seattle
The Summit at Snoqualmie
Dyno Nobel
Spokane County Sheriff’s Office
Teck Resources Limited
King County Sheriff’s Office
Austin Powder Company
Takata Industries
Port of Seattle
Washington State Patrol
Washington State Department of Transportation
Wallace Technical Blasting Inc.

These stakeholders fall generally into the following four groups:

- Law Enforcement
- Industry
- Government (Non-Law Enforcement)
- Private Interest/Recreation

For the purposes of identifying and discussing potential rule changes, the rule has been divided into the following three workgroups:

- General Rules and Licensing
- Storage and Technical Group
- Law Enforcement Group

Workgroups produced the following recommendations:

Storage and Technical Group

- Sections “C” through “E” should be updated to conform with existing ATF regulations, industry and international standards, and consistent terminology should be used throughout
- Storage requirements should be updated to reflect (and possibly reference) NFPA standards, which should eliminate or minimize the need for variances
- Rule should be updated to address outdated decibel limits
- Requirements or recommendations for seismograph should be added
- Rule should be restructured so that it is clear that Avalanche Control and Law Enforcement (section “H” and potentially “I”) are their own section, and take precedence over general rules unless a topic is not covered under these sections

General Rules and Licensing

- Licensing should be updated to reflect advancements in explosives technology and different types of initiation (electric, cap & fuse, etc.)
- Clarify exceptions in “E” and “I”
- Do we incorporate private, non-commercial interests (hobbyists) or create exemption?
- Clarify definitions (authorized agent, etc.)
- Review daylight blasting provisions
- Update renewal/testing section, include online renewals?
- Consider reciprocity statement regarding ATF background checks with other states, agencies
- Review public disclosure to determine if any improvements can be made without changing law

* See WAC 296-59 for good example of vertical standard

Law Enforcement Group

- Add section “I” for Law Enforcement
- Include sections pertaining to testing, licensing, transport, tactical breachers
- Consider whether licensing is necessary for K-9 handlers
- Reference ATF rules limiting transport limits?

Groups will continue to discuss and begin drafting ideas over the next few months and the larger ESSG group will reconvene in January/February 2018. During this time DOSH staff will work towards a CR-101 (Pre-Proposal) filing in January 2018.