

**Addendum Explosives Safety Stakeholder Group Meeting Summary, July 23-24, 2019**

Washington State Department of Transportation, North Central Region  
2830 Euclid Avenue, Wenatchee, WA, 8:30am-5:00pm

This document contains a summary of changes made after the meeting; with the assistance of department staff, management; and, stakeholders. The summary includes WAC Sections, proposed language, logic; and, contributors.

**Part A Definitions, Purpose, Scope and Application**

**WAC 296-52-099 Definitions**

**Added definition of Explosive Detection Canine (K9) Handler**

Removed clause about being licensed

Logic: Handler designation created in Part B covers this, removal of licensing for K9

Validated by: Group agreement 7.23.19

**Updated definition of Handler**

Added clarifying language to match conditions of Part B

Logic: Consistency with Part B

Discussed with Rod Hash, Rick Grove, Staff

**Added all classification types under Blaster's License**

Logic: Definitions belong in Part A

Discussed with: Jason Popp, Staff

**Added User and User's License** which refer the reader to Blaster and Blaster's license to ensure clarity

**Added definitions for Seismogram, Seismograph (blasting) and Seismographic blast monitoring**

Added a *note* specifying that ISEE Field Guide practices and USBM 8507 RI plots must be used

Logic: Clarify industry standards must be used

Discussed with John Bowling (White Industrial Seismology), Chris Breeds, Staff

**Part B Licensing**

**WAC 296-52-20010 License applicants must provide this information**

Changes made to reinforce the conditions set in WAC 296-52-20060.

**WAC 296-52-20090(1), (2), (3), (4), (5), (6), (7)**

Changes made to match formatting and order of requirements in 296-52-20010

**WAC 296-52-20090(9)**

**Cleaned up Handler’s requirements**

1. Notice in writing to the department
2. Training records maintained for length of employment- puts the employer in charge and able to remove upon need
3. Changed update requirement to 30 days- matching ATF, hopefully reduce the burden to the employer. When conducting notification they send to both agencies simultaneously

Logic: To create a better parallel to national (ATF) rules, reduce confusion, ensure better oversight

Discussed with Rod Hash, Rick Grove, Staff

**WAC 296-52-22010 Applicant Information**

WAC 296-52-22010(9)

Removed “(9) Any other pertinent information requested by the department.”

**WAC 296-52-2300(2)**

**Defined each classification moved to part A**

Logic: Reduce confusion

Discussed with: Greg Rogers, Andy Aschenbrenner, Jason Popp, Staff

**WAC 296-52-23090 Reciprocity**

**Revised previously proposed language for reciprocity.**

1. Allow for posting a Reciprocity list to the website instead of in the code
2. Make language fit code requirements better

**WAC 296-52-2520 Summary of actions allowed by license type.**

Proposed new section, requested by ESSG members.

Added language:

[WAC 296-52-2520 Summary of actions allowed by license type. The following actions are permitted for the type of license indicated:](#)

[Table B-4](#)

| <a href="#"><u>Action/</u></a>      | <a href="#"><u>Purchase</u></a> | <a href="#"><u>Sell</u></a> | <a href="#"><u>Store</u></a> | <a href="#"><u>Detonate/<br/>Consume</u></a> | <a href="#"><u>Create</u></a> | <a href="#"><u>Transport</u></a> |
|-------------------------------------|---------------------------------|-----------------------------|------------------------------|--|-------------------------------|----------------------------------|
| <a href="#"><u>License Type</u></a> |                                 |                             |                              |  |                               |                                  |
| <a href="#"><u>Dealer</u></a>       | <a href="#"><u>X</u></a>        | <a href="#"><u>X</u></a>    |                              |  |                               | <a href="#"><u>X</u></a>         |
| <a href="#"><u>Purchaser</u></a>    | <a href="#"><u>X</u></a>        |                             |                              |  |                               | <a href="#"><u>X</u></a>         |
| <a href="#"><u>User</u></a>         |                                 |                             |                              | <a href="#"><u>X</u></a>                     |                               | <a href="#"><u>X</u></a>         |
| <a href="#"><u>Manufacturer</u></a> |                                 |                             |                              |  | <a href="#"><u>X</u></a>      | <a href="#"><u>X</u></a>         |

## Part C Use of Explosive Materials

### WAC 296-52-30255 Adjacent power lines.

Corrected referenced WAC in relation to requirement to notify utilities. Changed from WAC 296-52-60105 to WAC 296-52-13060.

### WAC 296-52-30265 Transportation

WAC 296-52-30265(2)

Reworded to apply eRules.

### WAC 296-52-3030 User (Blaster) responsibilities

#### Focused the general duties of blasters

1. Added clause that acknowledges only those licensed for the type of blasting conducted (so others without the right skill do not confuse a process)
2. Specify that it is only the blasters working on that site under the Blaster In Charge's supervision; it is their duty to inform that blaster
3. Removed all references to any conditions other than illegal acts or possible injuries.
4. Moved warning signals and notification requirements back to Blaster In Charge (296-52-3035)

Logic: The duty to public safety and ensuring that no criminal acts occur overrides other concern

Discussed with Attorney General's Office, Staff, Rick Grove, Jerry Wallace

### WAC 296-52-3035 Blaster in charge responsibilities

#### Amended the seismograph requirements (came up after meeting due to investigation)\*

1. Added several lines to specify data that is found on all current seismograms
2. Reformatted to ensure all parts of the report requirement are clearly under the report criteria
3. Specify the USBM RI 8507 Curve Plot output
4. Uses ISEE Seismograph standards

Logic: Clarify the requirement, give no latitude to withhold records in an investigation

Discussed with John Bowling (White Industrial Seismology), Jerry Wallace, Chris Breeds, Staff

### WAC 296-52-3105 Blast design

#### Amended the Blast Design section to:

1. Ensure that Blaster's In Charge have final say on shot
2. Create criteria for designs they are presented and how those designs are accepted

Logic: Create hierarchy of who can do what, and what you cannot force a BIC to accept

Discussed with Dr. Breeds, Jerry Wallace

## Part D Transportation of Explosive Materials

No content changes after the meeting

## Part E Storage of Explosive Materials

WAC 296-52-50025 Approval by and notification of fire safety authority. The group discussed the changes during the meeting; and, requested Mr. Massey propose wording.

Proposed changes by Mr. Massey:

### **WAC 296-52-~~69040~~-50025 Approval by and Notification of fire safety authority.**

Any ~~person~~licensee who stores explosive material must ~~notify~~gain approval of the local fire safety authority, who has jurisdiction over the area where the explosive materials ~~is~~are stored.

This applies to any subsequent movement or increase in explosives stored.

~~(1) The local fire safety authority must be notified:~~

~~(a) Orally, on the first day explosive materials are stored;~~

~~(b) In writing, within 48 hours, from the time the explosive material was stored;~~

~~(c) In writing when an explosive storage license is renewed.~~

~~(2)~~(1) The ~~notification~~local authority approval must include the following for each site ~~where explosive material is stored:~~

(a) Type of explosives;

(b) Magazine capacity;

(c) Exact ~~L~~location.

(2) The department will coordinate with the Washington State Emergency Operations Center (SEOC) to keep all local fire authorities updated with information of the storage locations and plans to address emergency evacuation:

(a) Distances; and

(b) Plans; and,

(c) Routes; and

(d) Storage sites.

### **WAC 296-52-53040 Table E-4 Manufacturing buildings and plant magazines.**

WAC 296-52-53040

Revised wording

### **WAC 296-52-54020 Table E-8 distances for the storage of display fireworks (except bulk salutes)**

#### **Revised Note 3**

1. Remove the language that says "for fireworks storage magazines in use prior to (30 days from the date of publication of the final rule in the Federal Register),"
2. Notified ATF of change and requested that they follow suit

Logic: Barricades work, the half value should apply regardless.  
Requested By: Rod Hash  
Discussed with Rod Hash, staff, Management

### **Part F Magazine Construction**

#### **WAC 296-52-60050 Reduced Quantity/Distance (QD) hazard zone magazines**

Add new section (during the meeting the group discussed adding in WAC 296-52-6700). Added Reduced Quantity/Distance (QD) hazard zone magazines with very specific parameters of a nationally recognized explosives safety panel and tested design (not just engineer spec)

Logic: Smart, safe advanced designs should be allowed to help licensees  
Discussed with Entire group July 23; language reviewed by staff

Added language:

WAC 296-52-60050 Reduced Quantity/Distance (QD) hazard zone magazines. Magazines tested and approved by a nationally recognized explosives safety panel (such as the Department of Defense Explosives Safety Board (DDESB)) for a reduced QD hazard zone will be accepted for that value by the department upon certification of the following:

- (1) Owners only use these magazines only in the manner specified by the manufacturer; and
- (2) Magazines are loaded only as specified and certified by the national explosives safety panel which conducted and approved the testing.

Note: Any deviation from manufacturer or safety panel specifications invalidates the reduction of QD and is grounds for immediate department inactivation of the magazine and citation.

### **Part G Commercial Consumer Materials (Ammunition, Propellants, Primers and Binary Mixes)**

No content changes after the meeting

### **Part H Avalanche Control**

No content changes after the meeting

### **Part I Law Enforcement**

#### **WAC 296-52-90010 License Types and Training**

#### **WAC 296-52-90010(4) Canine Handler (K9)**

Rewritten to meet definition for Handlers as applied to all industries

Logic: Group approved removal of K9 license, needed to match this in code. Effects several currently licensed persons

Discussed at meeting: Approved by group 7.23.19

## **WAC 296-52-91020 Vehicular Storage**

### **WAC 296-52-91020(3)**

1. **Removed requirement** for tracking system plus another security feature changed to requirement of 2 security features with the addition of a note that states multiple integrated features will be counted independently (ex: OnStar system with alarm, tracking and immobilization would count for 3 features)
2. **Added requirement** to check magazines for tampering/unauthorized access every 24 hours. \*\* This was done after the meeting to address potential problem of someone leaving take home car at home over vacation.

#### **Logic:**

1. Security is the goal, more features will help us achieve that better and tracking is not the only way to achieve it.
2. 24hr checks to ensure the agency and department know the status of this material is accounted for. Incentivizes bringing the vehicle back to more secure storage during vacations, while allowing for leaving it at home and letting the agency solve the issue.

Discussed with Jeff Selleg, Mark Soper, Management, staff

### **WAC 296-52-91020(4)(a)(ii)**

Changed maximum amount in smallest vehicle rating to 2.5 lbs.

#### **Logic:**

- 1) Consistency with other nearby states using ATF guidance
- 2) Increase of hazard to the public is low (less than 40 ft.)
- 3) Operational ability increase is high

Discussed with Jeff Selleg, Mark Soper, Management, staff

### **WAC 296-52-91025(3)**

Revised layout to better match existing code format and specify the type of lock for a secondary attachment method is the same as other magazine locks

**\*\*\*\*\* In addition to the changes noted above, eRules changes applied throughout. No changes in requirements were made as a result. eRules changes provide:**

- Consistent format for all DOSH safety and health rules
- Easy to access rules for smart phone and tablet users
- Easy navigation in PDF Files provided through bookmarks in the rules
- Easier referencing by replacing bullets and dashes with numbers and letters
- “Housekeeping” corrections such as correcting dead links and obsolete references

#### **Examples include:**

- Change “shall” to “must” where applicable
- Remove numbers and quotation marks from all defined words

