

**Explosives Safety Stakeholder Group Meeting:**

Silver Fir Lodge, Summit at Snoqualmie, 80 Tanner Way, Snoqualmie Pass, WA; June 28, 2018  
8:30am-3:00pm

**Meeting Summary**

**Attendees included those representing the following organizations (in no particular order):**

Independent Consultant  
Sportsman's Warehouse-Compliance  
Bomb Squad, Pierce County Sheriff  
Stevens Pass  
Private /Hobbyist  
King County Sheriffs, SWAT  
Snoqualmie Patrol  
Spokane Valley Fire Department  
Washington State Department of Transportation  
Washington State Patrol, Bomb Squad  
Wallace Technical Blasting  
Takata  
Department of Labor and Industries

**Summary:**

The meeting was called to order at 8:30am. All attendees were asked to introduce themselves.

A representative of Labor and Industries Division of Occupational Safety and Health (DOSH) summarized the rulemaking thus far to update the requirements in Chapter 296-52 WAC, Safety Standards for Explosives.

A representative of Spokane Valley Fire Department addressed the group and provided a PowerPoint presentation on coordination of Codes. The presentation included the codes and laws involved in fire protection in Washington State which included an overview of the code cycles (review cycle) and code revision process. The presentation detailed the points of interaction between the various codes.

**Discussion:**

The group discussed concerns with Tannerite.\* Attendees commented there would be no action at the federal level during the current administration. The discussion included the need to educate the public on proper use and storage; and, Tannerite should not be considered a toy as it can be detonated. The group discussed it is legal to purchase Tannerite; however once mixed it is explosive. If in a container and transported; it is classified as use of an IED.

The group discussed whether the purchaser of Tannerite is made aware of the issues on use, transportation of the material; and, where it may be used. The group discussed the differences in

laws state to state, use of Tannerite on private, state and federal lands. The group also discussed current methods to inform public, such as box warnings and posters; and, thoughts to enhance buyer education in the future. The idea of the agency developing a poster was also discussed.

DOSH staff stated defining what an engineer is may help, then license is on the line. Then may specify who can override in the code.

*\*Tannerite is a binary explosive sold in components and mixed by the user. Since it is sold in components, it can be transported and sold without the legal restrictions that would otherwise apply to explosives.*

**The following sections of Chapter 296-52 Part H Avalanche Control were reviewed with proposed changes. No additional changes were noted in the discussion; and, the attendees approved the changes by majority vote. See draft document for complete changes:**

**Chapter 296-52-800 (1)(a)** The word “shall” will be replaced with the word “must” where applicable throughout the rule per current department policy.

**Chapter 296-52-800 (1)(b)** The group discussed the word “periodically” as it may have different meaning to all who read.

**Chapter 296-52-800 (1)(c)** Change to require maintaining records for a minimum of three years.

**Chapter 296-52-800 (1)(d)** Change “entrance” to “access points.”

**Chapter 296-52-800 (2)(c)** Addition of “trainees under the direct supervision of fully qualified personnel.”

**Chapter 296-52-800 (2)(g)** Changes to “route” which included following “the operation’s safety plan for loss of communication.”

**Chapter 296-52-800 (2)(h)** Include “probe” to required equipment for each member of avalanche control team.

**Chapter 296-52-800 (3)(a)(b)(c)(d)(e)** Proposed changes to the avalanche rescue plan includes the addition of initial and at least annual review by all avalanche control personnel, and the date last updated; simplify training, physical requirements and required equipment for rescue responders; integration with local emergency management systems and emergency care and evacuation.

**Chapter 296-52-802** Changes were made to third warning sign to remove the word “dynamite.”

**Chapter 296-52-803 (3)(b)** Change “cold weather” to “inclement weather.”

**Chapter 296-52-803 (4)(a)(iii)** Change from “must” to “may.”

**Chapter 296-52-803 (4)(f)(iii)** Change from “every use” to “initial use or at least annually.”

**Chapter 296-52-803 (4)(f)(v).** Changes to the “Note.”

**Chapter 296-52-803 (5)(c)** Change to “Explosives used for avalanche control must be chosen for suitability and performance in their environment of use.”

**Chapter 296-52-803 (6)(a)** Changes to “transported in program approved type avalanche,” to “transported in employer approved avalanche.”

**Chapter 296-52-803 (6)(b)(ii)** Changes to avalanche control packs and compartments.

**Chapter 296-52-803 (6)(c)(i)** Delete the word “daily.”

**Chapter 296-52-807 (1)** Change “You” to “The employer” and removal of “competent ski mountaineers.”

**Chapter 296-52-807 (4)** Add to the information the blaster in charge must keep record of.

**Chapter 296-52-807 (5)** Change “possible” to “practical.”

**Chapter 296-52-807 (6)(b)** Change distance from blast site to “out of the area of influence.”

**Chapter 296-52-807 (7)(c)(ii)** Change “sidearm” to “disarm,” and, change “safe place” to “safe distance.”

**Chapter 296-52-807 (8)(i)** Change from “4.5 pounds,” to “5 pounds.”

**Chapter 296-52-807 (9)(d)** Changes to “Note” only.

**Chapter 296-52-807 (11)** Strike “requirements” from sub-header only.

**Chapter 296-52-807 (11)(a)** Add sub-sections (11)(a)(i) through (11)(a)(iii).

**Chapter 296-52-807 (11)(b)** Changes to hours work and weather conditions.

**Chapter 296-52-807 (11)(g)(iii)(D)** Change to fuse length and addition of a new sub-section regarding use of shock tube.

**Chapter 296-52-807 (12)(a).** Changes to belay procedure and belay rope.

**Chapter 296-52-807 (12)(a)(i).** Changes to requirements for rope inspection.

**Chapter 296-52-807 (12)(a)(ii).** Delete (ii).

**Chapter 296-52-807 (12)(b).** Delete (b).

**Chapter 296-52-807 (12)(c).** Change to belay anchors, including “natural,” “artificial,” and “positional.”

**Chapter 296-52-809 (1)(c).** Change “good mountaineering practices” to “industry best practices.”

**Further discussion needed for Chapter 296-52 Part H Avalanche Control:**

**Chapter 296-52-805. No changes approved.** Suggested changes to this section will be submitted by a member of the Technical/Storage sub-group following this meeting. The proposed changes will be sent to stakeholders allowing enough time to review before the next stakeholder meeting September 18, 2018.

**Chapter 296-52-807 (7)(d) No changes approved.** Suggested changes to this section will be submitted by a member of the Technical/Storage sub-group following this meeting. The proposed changes will be sent to stakeholders allowing enough time to review before the next stakeholder meeting September 18, 2018.

**The following sections of Chapter 296-52 WAC Safety Standard for Explosives, Parts A Definitions, Purpose, Scope and Application were reviewed with proposed changes. No additional changes were noted in the discussion; and, the attendees approved the changes by majority vote. See draft document for complete changes:**

**Chapter 296-52-99 Definitions, “Law Enforcement Tactical Breacher.”** Added new definition of “Law Enforcement Tactical Breacher.”

**Chapter 296-52-99 Definitions, “Law Enforcement Explosive Detection Canine Handler.”** Added new proposed definition of “Law Enforcement Tactical Breacher.”

*Discussion: Should K9 Officers be licensed? They are not detonating. K9 officers “handle, possess, have certain level of responsibility; perhaps have provision for removing license” if make poor decisions. K9 Officer different than any other possessor. “They transport and handle, keep K9 Officer as licensed!”*

**Chapter 296-52-60105 Notification-Blasting near utilities.** The word “telegraph” was replaced with “fiber optic.”

**Chapter 296-52-60155(2) Explosive industry employers.** Proposed change to correct typographical error; change “manufacturering” to “manufacturing.” Correction, no vote taken.

**Further discussion needed for Chapter 296-52 WAC Safety Standard for Explosives, Part A Definitions, Purpose, Scope and Application:**

**WAC 296-52-099 Definitions, “Employee Possessor.”** Further discussion necessary as of June 28, 2018.

**WAC 296-52-099 Definitions, “Explosives.”** Attendees expressed concern with how currently written. Suggestions include use of NFPA versus AFT current definition. Further discussion necessary as of June 28, 2018.

**WAC 296-52-099 Definitions, “Hobbyist.”** Further discussion necessary as of June 28, 2018.

*Discussion: The group discussed how hobbyist designation will fit into industrial code, whether it should be in the industrial code. An attendee stated ATF recognizes hobbyist; and, another stated the WAC is for public safety, thus applies to hobbyist. It was determined there were less than a dozen who would fall “under hobbyist.” The group discussed whether the WAC should address quantity purchased/have stored; and, where and how used?*

**WAC 296-52-099 Definitions, “Small arms ammunition primers.”** Attendees noted ATF and TSA classify as an IED.” Further discussion necessary as of June 28, 2018.

**Chapter 296-52-60020(3)(f).** A representative of DOSH reviewed the proposed addition of the term “hobbyist” under exemptions. Further discussion necessary as of June 28, 2018.

**Chapter 296-52-60020(4)** A representative of DOSH reviewed the proposed addition of number (4) and the term “private noncommercial on private land” under exemptions. Further discussion necessary as of June 28, 2018.

***Discussion:***

*The group discussed the current fees for licensing and impact of proposed changes on licensing, reciprocity between states, and possible “bridge test.” It was also noted there are potential changes to Chapter 296-155 WAC Standards for Construction which may impact this chapter.*

**The following sections of Chapter 296-52 WAC Safety Standard for Explosives, Part B Explosive Licensing were reviewed with proposed changes. No additional changes were noted in the discussion; and, the attendees approved the changes by majority vote. See draft document for complete changes:**

**WAC 296-52-64005(2)(d)** License Classifications Table. Add the designation of “hobbyist” to the list.

**WAC 296-52-64030(1)(d)** Add (d) which provides for the qualifications of “Law enforcement officers.”

**WAC 296-52-65010(6)** Move text regarding “distance that the magazine is located or intended to be located from other magazines, inhabited buildings, explosives manufacturing buildings, railroads, highways, and public utility transmission systems” to WAC 296-52-66005 Responsibility to obtain a storage license.

**WAC 296-52-65010(7)** Delete “How long the storage license is needed.”

**Further discussion needed for Chapter 296-52 WAC Safety Standard for Explosives, Part B Explosive Licensing:**

**WAC 296-52-64005(2)** A representative of DOSH reviewed with the group the proposed definition of “hobbyist.” Further discussion necessary as of June 28, 2018.

**WAC 296-52-64005(2)(i)**

Further discussion of this section needed to include insertion of “trainer.”

**WAC 296-52-64030. List A qualifications.** The group discussed the proposed qualifications of the designation “hobbyist.” Further discussion necessary as of June 28, 2018.

**WAC 296-52-64030** Mr. The group discussed the proposed change to add (2) and (2)(a) which provides for the qualifications of “Hobbyist,” and required training. Further discussion necessary as of June 28, 2018.

**WAC 296-52-XXXXX Reciprocity.** A representative of DOSH reviewed the proposed new section on reciprocity with attendees. The test in each state is on “code” and the state’s requirements. There may be differences in code and requirements of each state. Further discussion necessary as of June 28, 2018.

**WAC 296-52-650 Manufacturer’s license.**

**WAC 296-52-65010(2)** A representative of DOSH reviewed the WAC as currently written, which states “The reason the applicant wants to manufacture explosives.” Some attendees did not feel this was necessary at the applicant may falsify the information. Another stated the ATF requires. An attendee stated the question should remain for security reasons and public safety. Further discussion necessary as of June 28, 2018.

**WAC 296-52-66050(1)** A representative of DOSH reviewed the WAC as currently written. The requirement is to notify the department at least 10 days before the proposed move.” The question was posed whether “ten days” is business days, or, calendar days. Later in chapter, specifies “business days.” Follow-up needed to verify with AAG. Further discussion necessary as of June 28, 2018.

**Chapter 296-52 WAC Safety Standards for Explosives, Parts E Storage of Explosive Materials, F Magazine Construction; and, Proposed Appendices**

**Proposed changes not discussed;** the majority of the group expressed more time was needed to review before discussing. Further discussion needed.

**Chapter 296-52 WAC Safety Standards for Explosives, Part I Law Enforcement Use, Storage and Transportation of Explosives**

**Proposed changes not discussed;** the majority of the group expressed more time was needed to review before discussing. Further discussion needed.

**Recap:**

Prior to adjourning the meeting, attendees were encouraged to provide additional thoughts and/or suggestions via email to discuss at future stakeholder meetings as well. It was requested suggestions and/or comments be submitted ahead of the next meeting in order to process, distribute and allow time for stakeholders to review before the next meeting to facilitate discussion.

**Follow-up items:**

- A member of the Technical/Storage sub-group to submit additional changes for Section 296-52-805 and Chapter 296-52-807 (7)(d).
- Verify intent of language in WAC 296-52-66050 with AAG: “business versus calendar” days
- Research use and development of posters/flyers to provide when materials purchased
- Define “engineer” at future meeting

**Next meeting:**

**Date: Tuesday, September 18, 2018**

Time: 8:30am-3:00pm; 8:00 sign in

Location: Snoqualmie Pass Fire Department  
1211 WA-906, Snoqualmie Pass, WA 98068

**Attachments:****Documents available for attendees at the start of the meeting:**

- Agenda
- Chapter 296-52 WAC, Safety Standards for Explosives (as currently written)
- Draft language for Chapter 296-52 WAC, Safety Standards for Explosives, Parts A and B
- Draft language for Chapter 296-52 WAC, Safety Standards for Explosives, Parts E, F and draft language for new Appendices A-C
- Draft language for Chapter 296-52 WAC, Safety Standards for Explosives, Part H
- Draft language for Chapter 296-52 WAC, Safety Standards for Explosives, Part I
- ESSG Charter
- PowerPoint Presentation: Explosives Safety Stakeholder Group Meeting
- Summary of April 3, 2018, Explosives Safety Stakeholder Group Meeting

**Presented during the meeting:**

- PowerPoint Presentation: Explosives Safety Stakeholder Group Meeting
- PowerPoint Presentation: Coordination of Codes