



Bureau of Alcohol, Tobacco, Firearms & Explosives

Kentucky Blasting Conference 2011
Lexington, Kentucky



Overview

- ATF Inspection Information
- Current Projects
- Common Violations
- Security/Thefts
- Reminders

NOTE: This outline was developed as a guideline for presentation by an ATF regulatory official. For regulatory requirements and guidelines, you should consult <http://www.atf.gov/publications/download/p/atf-p-5400-7.pdf> or contact your local ATF office: <http://www.atf.gov/field/>



General Information about ATF Inspections

- Generally conducted during business hours
- Usually unannounced
- Can be during any time of year
- Vary in length of time
- Often involve more than one IOI



Be Prepared for Inspection

- Ensure that records are available for examination
- Expect inventory and records examinations to be time-consuming and thorough
- Ensure that a knowledgeable (responsible) person is available to answer questions and provide assistance, if necessary
- If you have any questions on what to expect, **ASK**



Newsletter Information

- Bi-annual Newsletter
- Send article ideas to EIPB@atf.gov
- No longer distributed in “hard copy” format unless specifically requested from the ATF Distribution Center
- Current and previous issues are available on-line at <http://www.atf.gov/publications/newsletters/>

U.S. Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives

ATF EXPLOSIVES Industry Newsletter

December 2009 Published Bi-Annually

What's in this Issue
 Carson W. Carroll, Assistant Director, Enforcement Programs and Services, Retires
 2009 Institute of Makers of Explosives (IME) Spring Meeting
 2010 International Society of Explosives Engineers (ISEE) Conference
 Type-1 Igloo or "Army-type Structure" Explosives Magazines
 Day Boxes
 Table of Distances and Barricades
 Recording Explosive Materials "Used" Inspection Violations
 Black Powder Blanks
 Deteriorated Explosives
 U.S. Department of Defense Exemption Application to Contractors
 Storage of Exempt Explosive Materials in Magazines
 Notice of Errata
 Orange Book Errata
 Licensee/Permittee Population

Arson & Explosives Programs Division (AEPD)
 Division Chief Joseph M. Riehl
 Deputy Division Chief Gregory D. Platt
 Explosives Industry Programs Branch (EIPB) Branch Chief Debra Sankowiak
 Explosives Technology Branch Branch Chief Kenneth C. Coffey
 Arson and Explosives Enforcement Branch (AEEB) Branch Chief Gilbert C. Bartosh

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Working for a Sound and Safer America

Carson W. Carroll, Assistant Director, Enforcement Programs and Services, Retires

After more than 22 years of Government service, Carson W. Carroll, the Assistant Director for Enforcement Programs and Services, retired on August 31, 2009. As Assistant Director, Mr. Carroll directed the development of policy guidance and oversight programs supporting ATF's explosives related mission functions.

Mr. Carroll joined the Bureau as a Criminal Investigator in 1987. During his career with ATF, he served as a Special Response Team Leader in the Los Angeles Field Division, the Special Agent in Charge for the Tactical Response Branch and Critical Incident Management Branch, and the Special Agent in Charge for the Seattle Field Division. Mr. Carroll became Chief of the Arson and Explosives Programs Division in 2002 before his appointment as Deputy Assistant Director for the Office of Field Operations in 2005. In June 2008, Carson W. Carroll was appointed Assistant Director for the Office of Enforcement Programs and Services.

During his tenure with ATF, Carson worked hard to ensure that ATF fairly and conscientiously enforced the regulations, sought to increase public safety, and provided guidance to the industry whenever possible. Carson's knowledge and experience will be missed and we thank him for his hard work and dedication to ATF.

2009 IME Spring Meeting

Arson and Explosives Programs Division (AEPD) Chief, Joe Riehl, EIPB Chief Deb Sankowiak, and Industry Liaison Bill O'Brien participated in the Institute of Makers of Explosives (IME) Spring Meeting held in LaJolla, CA in May 2009. IME meetings afford



Recent Publications

- ATF P 5400.16 — Voluntary Steps to Prepare for a Pending Natural Disaster
- ATF P 5400.17 — Explosives Magazine Construction Requirements
- ATF P 5400.18 — Daily Summary of Magazine Transactions (DSMT) Requirements
- Available on-line at

<http://www.atf.gov/publications/explosives-arson/>





ATF Ruling 2011-2, Type 5 Bin Locks

Type 5 bins typically do not meet hooded lock requirement

- Ruling allows for one unhooded padlock
- Additional security measures required
- Adequate security that restricts outer perimeter access (locked gate, security guards, fences, or a combination of these measures) may be used





ATF Ruling 2011-3

Alternate Locks

Approves the use of additional locks under certain conditions

- Puck locks (Die-cast bodies not allowed— only hardened steel)
- Padlocks with boron-alloy shackles
- Recessed locks (Jobsite boxes must have two recessed padlocks)





Open Letters

- Exemption for Tribal Display Fireworks Materials
 - Federally recognized tribes are the same as State and local government agencies
- State and Local Government Exemptions
 - Provides information regarding the distribution to and receipt of explosives for pest control and mitigation purposes by States or their political subdivisions



Magazine Floors and Roofs

Forthcoming ruling – Currently requires a variance

Provisions for type 2 magazines with roofs not meeting bullet-resistant construction.

- *Magazine must be placed so that a bullet cannot be fired from surrounding area directly through roof and into the magazine at an angle to strike explosives within.*

Provisions for wooden floors on magazine exterior.

- *Magazine must be placed on gravel pad or skirted.*





Violations of Special Interest for Region

Violation	Instances
555.127 (DSMT)	41
Records (555.122 - 555.125)	14
Mag construction (555.207-555.211)	13
Failure to report changes in RP/EP/Control (555.57)	10
Failure to properly maintain Records (555.121)	9
Housekeeping (555.215)	8
Inventory (555.122 - 555.125)	6
Notification of addition of magazines (555.63)	6
Notification to locals (555.201(f))	4
Detonators with powder (555.213)	2



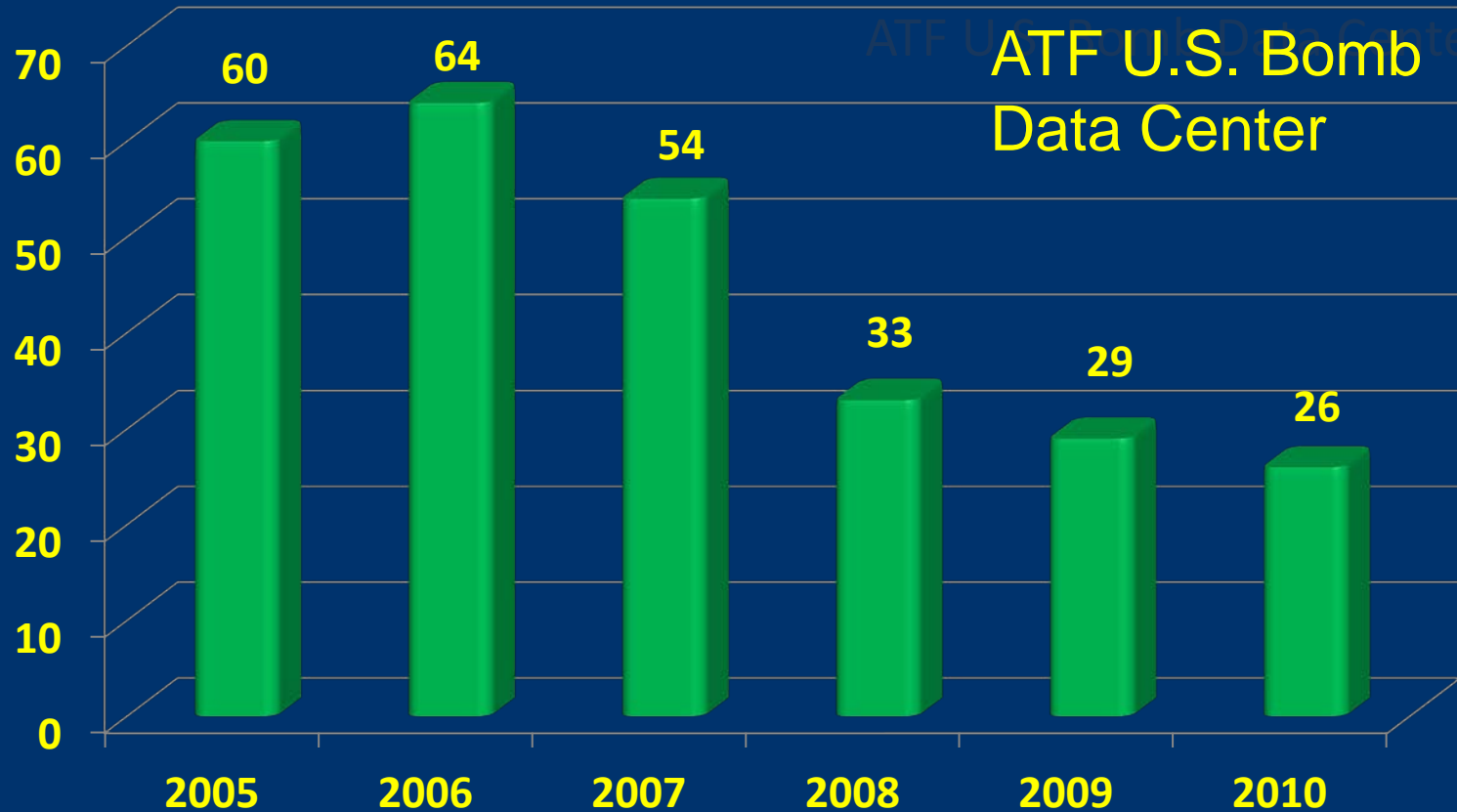
Theft or Loss

- Contact ATF explosives theft hotline: 1-800-461-8841 or ATF 24-hour hotline: 1-800-800-3855
- Must report **theft or loss** within 24 hours of discovery
- Complete and submit ATF Form 5400.5, Report of Theft or Loss - Explosive Materials
- Contact local authorities
- Penalties for failure to report theft include \$10,000 fine and up to 5 years in prison

Contact the U.S. Bomb Data Center at 1-800-461-8841 or at USBDC@atf.govstaff for assistance with any questions regarding the reporting of theft or loss of explosive materials.

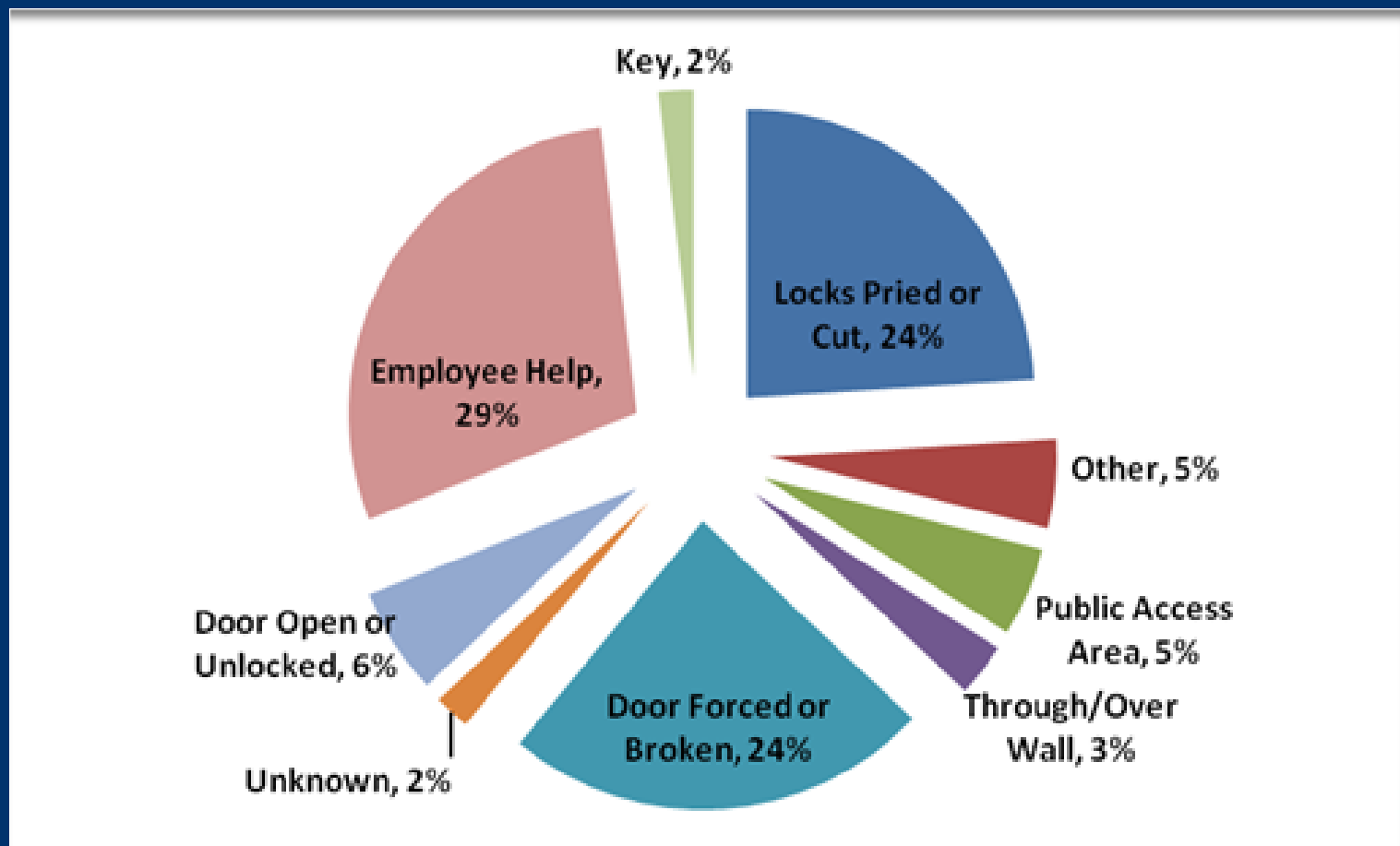


Thefts of Explosives 2005 thru 2010





Thefts of Explosives

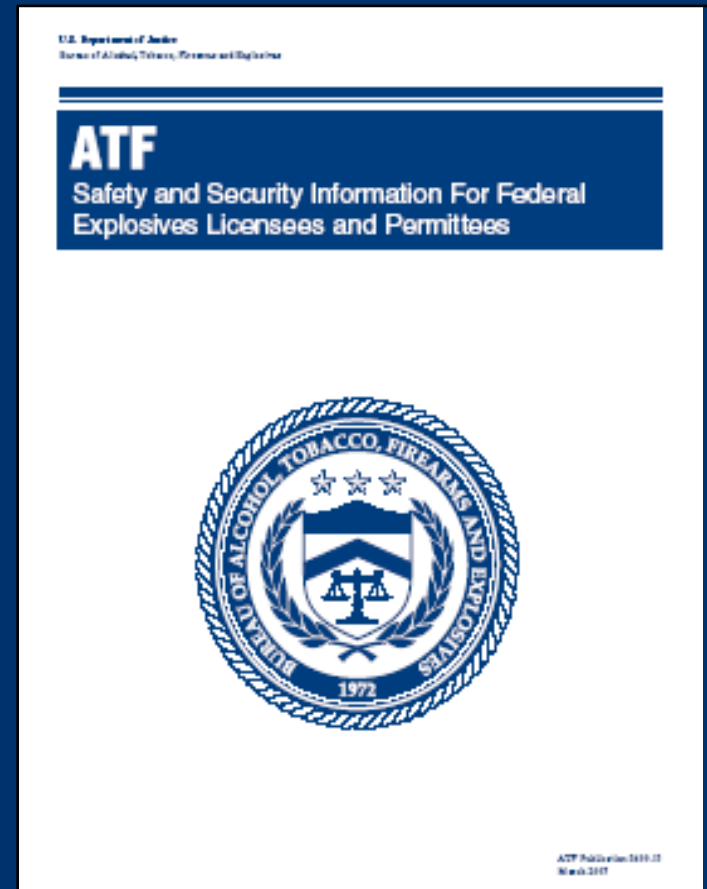




Safety and Security Booklet

ATF P 5400.15 - March 2008

- Developed with ISEE and IME
- Tips, techniques, and tools for better security
- ATF Contact information
- Sample explosives records





Reminder...

You are required to:

- Conduct yearly physical inventory of all explosives on-hand (record must be on file for inspection)
- Report all thefts and losses to ATF within 24 hours of discovery, by telephone 1-800-800-3855, and in writing by completing ATF F5400.5
- Visually inspect locks and magazines at least every seven days
- Notify the authority having jurisdiction for fire safety in the locality where explosives are stored



Good Advice

Prioritize safety and security

- Take frequent inventories
- Keep records daily
- Review security at your premises and consider internal controls (key accountability, records review)
- Upgrade padlocks

Develop a relationship with your local ATF office

- Educate them about your business
- Call if you have any questions or problems
- Invite an investigator to talk with your employees about requirements and inspections

Think of inspections as opportunities for positive change



Industry Resources

- WWW.ATF.GOV
- Local ATF field offices:
<http://www.atf.gov/field/>
- Explosives Industry Programs Branch (EIPB)
 - EIPB e-mail address: EIPB@atf.gov
 - EIPB phone number: (202) 648-7120