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EXPLOSIVES IN THE UNITED STATES

Black powder, a low explosive, is the oldest type of explosive material known. While used for gun powder centuries earlier, it began to be used in mining and rock blasting for road construction in the 1600s. Two centuries later, the development of nitroglycerin and dynamite led to advancements such as the construction of road tunnels and the invention of the seismometer to detect ground vibrations by earthquakes.

The 1900s saw a tremendous increase in the use of explosives in the United States. The United States consumed 287 million pounds of black powder in 1907; United States underground explosives consumption reached 100 million pounds in 1957, and 7.4 billion pounds of explosives were used in the U.S. in 2012.

The explosives industry is currently made up of more than 10,440 federal explosives licensees and permittees working in two major areas, commercial explosives and fireworks. Because of the potential misuse of these explosive materials to the detriment of public safety, ATF's role in protecting the public from unsafe or unsecure storage is vital. ATF's jurisdiction over explosives extends to requiring licenses to engage in the business of importing, manufacturing and/or distributing explosives materials. An ATF permit is also required to ship, transport, or receive explosives. ATF inspects the explosives magazines and records of explosives licensees and permittees on a regular basis to ensure compliance with federal explosives regulations. Exemptions from the federal explosives laws are contained in 18 U.S.C. § 845.

In addition to ATF, other agencies within the U.S. government regulate explosives under specific conditions, to include the following:

- U.S. Department of Transportation (DOT) – DOT has jurisdiction over hazardous materials (including explosives) while they are in transit, whether by rail, water, motor carrier, air, or other conventional means.
- U.S. Coast Guard –The Coast Guard has jurisdiction over explosives while they are in transit on any navigable waterways within the United States or within U.S. territorial limits on the high seas.
- Mine Safety & Health Administration (MSHA) – MSHA has jurisdiction over activities, including the use of explosives, at mining sites, both above and below ground, for coal and other metal/non-metal mining.

- U.S. Department of Labor – Occupational Safety & Health Administration (OSHA) – OSHA is concerned with worker safety on the job, including the use of explosives at job sites, or while under manufacture or other processing of the explosive materials.
- U.S. Department of Defense (DOD) – DOD has jurisdiction over explosives when they are in use by the military, or on behalf of the military, pursuant to a contract between an explosives supplier and any of the various military departments of the United States.
- Consumer Product Safety Commission (CPSC) – CPSC regulates consumer fireworks, which are fireworks not subject to ATF control under 27 C.F.R. Part 555, the Federal Explosives Regulations. CPSC is also concerned with the distribution, possession and use of illegal fireworks.

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