

# ATF EXPLOSIVES Industry Newsletter

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loss reporting the explosives industry is taking all necessary precautions to prevent explosives from falling into the hands of terrorists; agents working leads in FBI Joint Terrorism Task Forces; and our National Response Teams working at the crash sites. In addition, ATF agents have been detailed to assist in the "Sky Marshal" Program. Everyone who has taken the Federal Oath of Allegiance in appointments knows that we are all in this together by the opening sentence: "I will support and defend the Constitution of the United States against all enemies, foreign and domestic..."

**GOD BLESS AMERICA!**

## A MESSAGE FROM THE CHIEF, ARSON & EXPLOSIVES PROGRAMS DIVISION

The events of September 11, 2001, will forever remain indelibly etched on the collective minds of our nation's citizens. Although explosives were not involved in the execution of this attack on our nation, we all know that explosives pose a unique tool for those with evil intent. ATF is most grateful to our country's explosives industry for the rapid response to our request for vigilance. We received many reports of losses and thefts and were able to react accordingly, in conjunction with other law enforcement agencies supporting the FBI in combating this foreign terrorist threat.

ATF's support of this national effort has included assigning personnel in our licensing section in Atlanta to capture tips phoned into the national FBI tip line; inspectors making certain that in the areas of storage, theft, and

## TRANSFERS OF EXPLOSIVES IN-STATE

**ATF** would like to remind all companies engaged in in-State sales or distribution of explosive materials that in addition to complying with the requirements contained in the Federal Explosives Regulations, 27 CFR, Part 55, the transactions must also comply with any State or local requirements.

Section 842(e) of the Federal Explosives Law states, in part, *"it shall be unlawful for any licensee knowingly to distribute any explosive materials to any person in any state where the purchase, possession, or use by such person... would be in violation of any State law or published ordinance applicable at the place of distribution."*

ATF requests each company to take the necessary steps to ensure that they are aware of the State or local requirements where they are doing business, and that their operations are in compliance with any such requirements. Please contact the Public Safety Branch in ATF Headquarters if you have questions with regard to this subject.



**WORKING FOR A SOUND  
AND SAFER AMERICA**

## ATF MEETS WITH ISEE, PGI

### *Public Safety Branch Attends ISEE's Pittsburgh Conference*

**M**embers of the Public Safety Branch and ATF's Explosives Study Group attended the third biennial Explosives and Blasting Conference held in Pittsburgh July 23-25. The regulatory conference was sponsored by the International Society of Explosives Engineers (ISEE) and featured a mix of Federal and State regulators, as well as members of the explosives industry, who met to discuss a variety of current issues regarding explosives regulation, training, safety, and new trends and technology. The Conference attracted the highest number of participants since the meetings first began in Cincinnati in 1997.

In addition to providing regulators and industry members an update on new Federal initiatives, the meeting provided all in attendance an opportunity to discuss current and pending regulations and issues of vital importance to the explosives industry throughout the U.S. ATF is extremely grateful to the ISEE for providing this forum in which to exchange ideas, discuss changes in the explosive industry, and explore ways to work together to improve public safety and reduce the threat of violent crime from the illegal use of explosives. The ISEE tentatively plans to hold the next regulatory conference in St. Louis in 2003.

### *Industry Analyst Attends PGI's Conference in Wisconsin*

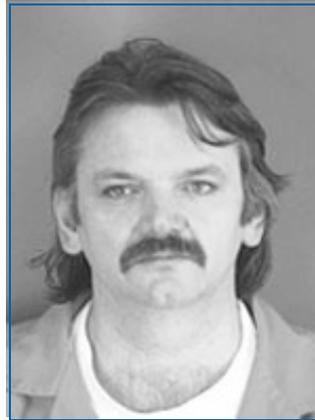
**T**he Pyrotechnic Guild International (PGI) held its annual convention on Pyrotechnics in Appleton, Wisconsin, during the week of August 6-10. Industry Analyst Gene Baker of the Arson & Explosives Programs Division gave a presentation to the PGI members on current issues in the fireworks arena, ATF's policy with regard to the pyrotechnics industry, and an update on pending issues or proposed regulatory changes.

We would like to thank the PGI for offering ATF this opportunity to meet with members of the pyrotechnics community and discuss topics and issues of mutual interest.

## FUGITIVE CORNER

### *Fugitive Wanted by Memphis Office*

ATF's Memphis Field Division requests anyone with information on the location of fugitive Clayton Lee Waagner to contact the Memphis Office. Waagner is wanted on a variety of charges involving violations of Federal explosives laws and Federal firearms violations. Waagner has used a number of aliases and has frequently altered his appearance, as shown in the photos.



The following information is provided regarding Waagner:

Race & Sex:	White Male
Date of Birth:	08/25/56 (has used 07/25/56)
Place of Birth:	North Dakota
Height:	6' 1"
Weight:	195
Eyes:	Green
Hair:	Brown
Complexion:	Fair
Scars/Tattoo:	Scar - Right knee, right ankle, and tip of nose



U.S. District Court in Illinois has issued an outstanding warrant for Waagner's arrest. Waagner has a visible scar on the tip of his nose, and he walks with a shuffle as a result of frostbite damage to his left hand and feet. He frequently alters his appearance with various facial hair growths, baseball style hats, and aviator sunglasses. He should be considered armed and dangerous. Anyone with any information on Waagner should contact the communication center at (800) 336-0102. A copy of Waagner's wanted poster can be found on the Internet at [www.usdoj.gov/marshals/wanted/wanted/html](http://www.usdoj.gov/marshals/wanted/wanted/html).

## CONTACT ATF ON ANY QUESTIONS OR DISCUSSION TOPICS

**W**e welcome any questions or topics that you would like to have presented. You may contact the Public Safety Branch in Washington, DC, by mail, phone, or fax, as follows:

Bureau of Alcohol, Tobacco & Firearms - Public Safety Branch  
800 K Street, NW, Room 710  
Washington, DC 20001  
Phone: (202) 927-7930  
Fax: (202) 927-8887

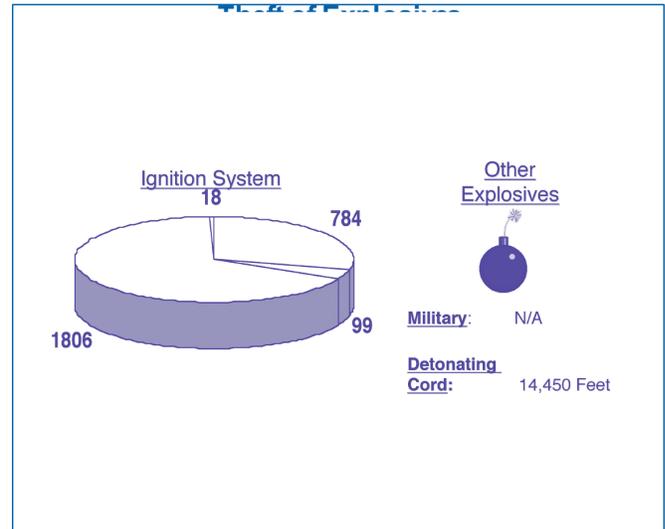
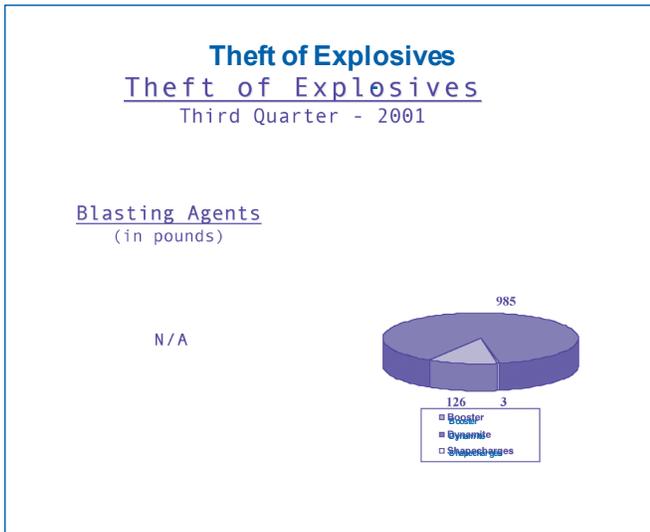
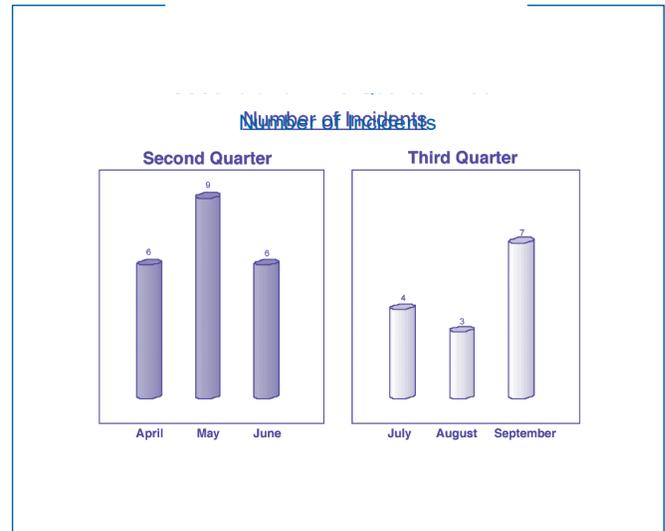
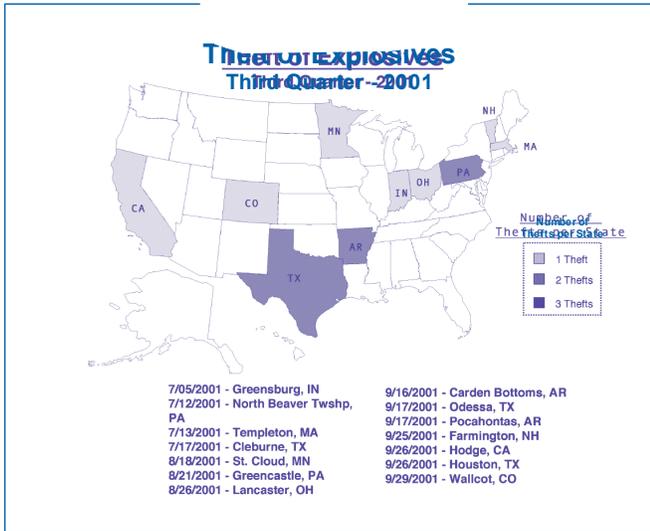


## THIRD QUARTER 2001 EXPLOSIVES THEFTS

**W**ith the events of September 11th still fresh in everyone's minds, ATF would like to remind the explosives industry of the critical need to take extra precautions with regard to the security of stored explosives. In addition to checking your magazines at least once every 7

days to note whether the magazine and locks are intact, you must report any theft or attempted break-in to ATF and State and local authorities immediately. Please contact the Public Safety Branch if you have questions on this matter.

The following data is a summary of explosives thefts in the U.S. during the third quarter of this year, as compiled by Jim Oliver, Intelligence Research Specialist, Arson and Explosives National Repository Branch.



## Newsletter Distribution

Have you recently changed your address, or do you know someone in the industry not currently on the distribution list who may wish to receive the ATF Explosives Newsletter? If so, please notify the Public Safety Branch by phone or Fax, and we will change your address or add their names to the distribution list. All we need is the following information:

Name: \_\_\_\_\_

Company: \_\_\_\_\_

Address: \_\_\_\_\_

City/State \_\_\_\_\_ Zip code \_\_\_\_\_

Phone No. (optional) \_\_\_\_\_ e-mail: (Optional) \_\_\_\_\_



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