

DOSH DIRECTIVE

Department of Labor and Industries
Division of Occupational Safety and Health
Keeping Washington safe and working

19.20

Explosives Magazine Licensing Inspection Procedures

(Updated) Date: November 15, 2010

I. Purpose

This directive provides guidance to DOSH staff on scheduling and conducting explosives magazine licensing inspections.

II. Scope and Application

This directive applies to DOSH Compliance Managers, Compliance Supervisors and Explosives Inspectors when scheduling and conducting explosives magazines inspections. It replaces all previous instruction on this issue, whether formal or informal.

III. References

Explosives inspectors must be familiar with the following regulations:

- Chapter 49.17 RCW, Washington Industrial Safety and Health Act (WISHA)
- Chapter 70.74 RCW, Washington State Explosives Act
- Chapter 70.77 RCW, State Fireworks Law
- All WISHA regulations and procedures with a particular emphasis on:
 - Chapter 296-52 WAC, Safety Standards for Possession and Handling of Explosives
 - Chapter 296-59 WAC, Ski Area Facilities and Operations
- Applicable IFC, NFPA, UBC, BATF, MSHA, and USDOT regulations

IV. Background

Chapter 70.74 RCW, Washington State Explosives Act, is a public safety law that requires, among other things, regular “certification” inspections of licensed explosives storage sites. Because of the unique characteristics of the Explosives Act, several standard inspection procedures described in the DOSH Compliance Manual, including those related to issuance of citations and calculation of penalties, do not apply to such licensing inspections. This policy provides appropriate guidance regarding such inspections.

V. Enforcement Policies

A. **Scheduling Magazine Inspections.**

DOSH explosives inspectors and/or their explosives supervisors must schedule magazine inspections from the magazine scheduling reports provided by the Explosives Licensing desk. Inspections must be conducted within **one** year of the last inspection date.

Standards and Technical Services will provide the following magazine scheduling reports to the explosives supervisor:

1. Supervisor's Report - This monthly report lists the past due magazine inspections.
2. 60-day Scheduling Report - This monthly report lists magazines that have an expiration date within 60 days from the date of the report.
3. Master Magazine List - This annual report lists active magazines within the area of the inspector's responsibility.
4. Inspection Activity Report - This report lists the hours spent on inspections done by the explosive inspectors.
5. IOC Memorandum - When the explosives supervisor becomes aware of an explosives incident, magazine move, or a license cancellation, he/she will schedule an immediate inspection.

B. **Citation and Notice.**

Magazine inspections must be conducted according to the guidance in this directive, the DOSH Compliance Manual, and other related DOSH directives.

1. A citation and notice will be issued, with appropriate penalties, if the inspection was initiated for any reason other than a licensing review, or at the request of the licensee.
2. If the inspector determines that circumstances warrant an inspection with the potential for penalties during a licensing review, he or she must open an inspection with the licensee, and proceed according to the appropriate guidance in the DOSH Compliance Manual.

Note: A decision made because of the degree of non-compliance, worker exposure, or the level of the hazard, should be the exception rather than the rule.

C. **Licensing Reviews and Magazine Inspection Reports.**

When handling inspections that result from licensing reviews, the inspector must complete a Magazine Inspection Report. A report is required for all magazine inspections conducted for licensing purposes, even if the inspector determines that a full inspection should be conducted according to the guidance in Section V.B.2. above. Inspection reports must be forwarded to the Explosives Desk on a weekly basis.

Magazine Inspection Reports should also be used for consultative and technical visits when no employee/employer relationship exists.

D. Separate Locations.

Magazines at separate locations must be inspected separately and all necessary documentation (qualified person in charge, site address, etc.) should be provided for each site.

E. Advance Notice.

Advance notice may be required to expedite initial, remote or difficult magazine inspections, which are not conducted pursuant to WISHA, but instead to the Explosives Act. In such cases, the licensee or other responsible person should be contacted to schedule the visit and provide any necessary assistance.

Inspectors must avoid giving advance notice if suspicious conditions exist, suggesting that tools or other improper items may be stored inside the magazine or that explosives may be moved out prior to inspection.

F. Mining Sites.

DOSH explosives inspectors may conduct inspections at mining sites under the jurisdiction of the Mining Safety and Health Administration (MSHA). DOSH explosives inspectors must inspect mining sites only in relation to licensing and storage requirements under Chapter 296-52 WAC.

Approved:



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