

WAC 296-52-23010 General qualifications.

(1)Physical Conditions. Explosives Users who possess a Washington State User's license are personally responsible to refrain from handling and/or using explosives if they become aware of health conditions which may adversely affect their functional ability to safely handle and/or use explosives. In addition, Users must also report any health disorder which may adversely affect their functional ability to safely handle and/or use explosives directly to the Washington State Department of Labor and Industries Explosives Licensing Department.

(a) Applicants cannot have underlying physical, mental or emotional conditions which would adversely affect their functional ability to safely handle and/or use explosives. Applicants must:

(i)Attest to the status of their current condition(s), that they have not been made aware of any condition(s) which would adversely affect their functional ability to safely handle and/or use explosives; or

(ii)If there is a potentially unsafe physical, mental or emotional condition:

(A) Applicants must seek a licensed medical treatment provider's opinion assessing their functional ability to safely handle and/or use explosives, AND,

(B) Provide a licensed medical treatment provider's evaluation (in writing) that states the applicant's underlying physical, mental or emotional conditions will not adversely affect their functional ability to safely handle and/or use explosives.

Note: *Functional ability may be affected by conditions that are persistent or chronic (long term conditions, not short term conditions such as pneumonia, a broken limb, minor burns or similar conditions) and have ongoing impact to the functions which affect the ability to safely handle and/or use explosives.*

Changes in functional ability (physical condition):

- a. *The licensed explosive user (blaster) does not need to report short term illnesses or abnormalities lasting less than three months to the Explosives Licensing Department provided they refrain from all explosives handling and/or use until recovery to the previous level of function for which they were licensed.*
- b. *When a condition persists beyond three months or it becomes apparent that it will become permanent, it must be reported to the Explosives Licensing Department.*
- c. *The licensee must provide certification from a licensed medical treatment provider before the Department will revalidate a User's license.*

A non-mandatory sample format of the letter for a licensed medical treatment provider to send is provided in Appendix D.

WAC 296-52-23070 Physical condition recertification. Explosives Users must meet all requirements in WAC 296-52-23010 General qualifications to renew any User's License. Licensees renewing any User's license must:

(1)Attest to the status of their current condition in keeping with the requirements in WAC 296-52-23010(1)(a) upon renewal; or

(2)Notify the department of any change to their physical, mental or emotional condition which would adversely affect their functional ability to safely handle and/or use explosives that occurs between renewals; and

(3) Provide a licensed medical treatment provider's evaluation that the change(s) in physical, mental or emotional condition will not adversely affect their functional ability to safely handle and/or use explosives as provided in WAC 296-52-23010(1).

Note: *It is the licensee's responsibility to notify the department if they have, or develop, or suspect that they have developed a physical, mental, or emotional impairment that may adversely affect their functional ability to safely handle and/or use explosives. Failure to do so is false swearing to a government official, and grounds for revocation of licensing under Revised Code of Washington, chapter 70.74.370(1)(b).*

A non-mandatory sample format of the letter for a licensed medical treatment provider to send is provided in Appendix D.