

Explosives Safety Stakeholder Group (ESSG) Meeting Summary, January 10, 2023

**Via TEAMS**

**Division of Occupational Safety and Health (DOSH) Staff Present:**

DOSH Safety and Health Specialist  
DOSH Administrative Regulations Analyst  
DOSH Technical Services Safety Program Manager  
DOSH Explosives Program Specialist  
DOSH Policy and Stakeholder Engagement Advisor

**Organization(s) represented (in no particular order):**

Washington State Department of Transportation/ ISEE Chapter President  
Northwest Energetics  
Wolverine West  
Washington State Department of Transportation Avalanche Control Lead  
Joyson Safety, Continuous Improvement Lead  
King County Sherriff Bomb Squad  
Richland Police, Bomb Squad  
Bomb Appraisal Officer, Boeing/Western WA IABTI President  
Wildfire Blaster, Washington State Depart of Natural Resources  
Arms Ammunition and Explosives Safety Specialist, Boeing  
Environmental Health and Safety Lead, Boeing  
Washington State Patrol, Bomb Squad Commander  
Cabela's Compliance Senior Manager  
Northwest Energetics, Compliance  
Institute of Makers of Explosives (IME)  
King County Sheriff's Office SWAT  
Emergency Management Program Specialist, Washington State Military Department  
King County Sheriff's Office  
Richland Police Department-Criminal Investigations Division Tri-City Regional SWAT Team  
Bureau of Alcohol, Tobacco and Firearms (ATF) Seattle Division  
Caller 425-306-0010

**Preparatory:**

Approximately four weeks before the meeting, all ESSG Stakeholders provided electronic copies of the meeting materials with instruction to review and provide comments prior to the meeting via email. In addition, DOSH staff added information regarding the upcoming meeting, including the draft language, to the ESSG specific webpage.

**Summary:**

DOSH Safety and Health Specialist called the meeting to order. DOSH Safety and Health Specialist reminded attendees of the meeting format to ask questions. DOSH Safety and Health Specialist asked attendees to introduce themselves.

DOSH Safety and Health Specialist provided attendees with an overview of the rulemaking efforts to date. DOSH Safety and Health Specialist reviewed with stakeholders the changes with the draft, including the rationale and comments received.

**The group then reviewed and discussed proposed changes to Chapter 296-52 WAC, Safety Standards for Explosives. The detailed summary below reflects only sections in which there were comments, discussion or changes made.**

**WAC 296-52-099 Definitions.**

- Industrial Ordnance – The group discussed the proposed changes. No additional changes made to the language.
- Low explosives – The group discussed the proposed language. An attendee asked questions regarding DOT classifications, versus classification of an International Entity. Another attendee questioned whether the reference to Division 1.2 or 1.3 explosives was correct. The group discussed, reviewed ATF Ruling 2011-3; and, discussed with an attendee, representing the ATF. The group updated the draft and removed the reference to Division 1.2 or 1.3 explosives.

**WAC 296-52-20090 Employee Possessor information.**

An attendee representing Boeing had questions regarding the requirements in relation to tasks performed at Boeing. DOSH staff to review draft further following the meeting and provide an update to stakeholders.\*

**WAC 296-52-60010 Construction requirements.**

WAC 296-52-60010(4)(b)(iii) Note 2.

An attendee representing Wolverine West had questions regarding the use of Puck style locks. The group discussed the use of Puck style locks and ATF Ruling 2011-3. The group requested additional information in order to determine if the draft required modifications.\*

After the group completed review of the draft, Dosh Administrative Regulations Analyst detailed “next steps” in the rulemaking; including the Economic Survey, performed by Research and Data Services within L&I in order to complete the Cost Benefit Analysis (CBA) and Small Business Economic Impact Statement (SBEIS) required by the Administrative Procedures Act. Attendees informed of the possibility of receiving the Survey electronically; and, if selected, asked to complete as quickly and accurately as possible.

**DOSH Staff due-outs:**

- WAC 296-52-60010(4)(b)(iii) Note 2:
  - The group requested additional information in order to determine if the draft required modifications. L&I Staff to review ATF 2011-3 Ruling to determine if changes needed in WAC 296-52-60010(4)(iii) Note 2; and, distribute information to the group via email.
  - Following the meeting, L&I staff reached out to Chief of Explosives Industry Program Branch of the Bureau of Alcohol, Tobacco, Firearms and Explosives. Per response, the ATF “*will allow the puck locks referenced in ATF Ruling 2011-3 for Type 1, Type 2, Type 4 and Type 5 magazines.*” In addition, the ATF plans to incorporate this ruling into ATF regulations during their modernization process.
  - ESSG members provided the above information via direct email January 13, 2023 (attached).
  
- WAC 296-52-20090 Employee Possessor Information.
  - An attendee requested additional information specific to operations at Boeing. L&I staff to review and respond.
  - Following the meeting, L&I staff reviewed and discussed the draft as written. L&I staff determined that the draft language did not require further modifications in this sub-section.
  - L&I staff provided detailed information to stakeholders at Boeing via direct email.
  
- DOSH staff to update draft (as needed), prepare meeting Summary and forward updated draft and summary to ESSG members via email; and, post to ESSG specific rulemaking webpage.

**From:** [Coates, Cathy J \(LNI\)](#)  
**To:** [Coates, Cathy J \(LNI\)](#)  
**Cc:** [Massey, Daniel \(LNI\)](#); [Neely, Teri \(LNI\)](#); [Allen, Ryan N \(LNI\)](#)  
**Subject:** chapter 296-52 WAC Safety standards for possession, handling, and use of explosives  
**Date:** Friday, January 13, 2023 8:00:07 AM

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Greetings,

We hope this email finds you well.

Thank you to all who attended the stakeholder meeting earlier this week and for your continued support in this rulemaking.

During the meeting, the group discussed the use of “puck locks” in WAC 296-52-60010(4)(b) (iii), Note 2. A due out of the meeting was that the group needed additional information in order to determine if the draft required modifications.

The purpose of this email is to provide additional information regarding this WAC subsection.

Following the meeting, Dan reached out to Mike O’Lena, Chief, Explosives Industry Program Branch, Bureau of Alcohol, Tobacco, Firearms and Explosives.

Per response, the ATF “will allow the puck locks referenced in ATF Ruling 2011-3 for Type 1, Type 2, Type 4 and Type 5 magazines.” In addition, the ATF plans to incorporate this ruling into ATF regulations during their modernization process.

We continue to review the draft internally. We will forward the draft and rulemaking next steps within the next couple of weeks.

Again, thank you for your continued participation and support of this rulemaking.

Have a great weekend.

Stay safe,

Cathy

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