

ATF Regulatory Modernization Project

The commercial explosives industry is among the most highly regulated sectors in the United States. The Institute of Makers of Explosives (IME) recognizes the critical importance of regulation when working with such powerful materials. IME supports common-sense regulations that are rooted in sound science, data, and that reflect our industry's best practices.

Safety regulations have been central to IME's mission since its founding over a century ago. Since then, IME has developed and published comprehensive safety standards through its Safety Library Publications (SLPs), which provide best practices for the manufacture, storage, transportation, distribution and use of commercial explosives. These 19 publications have been widely adopted and incorporated into numerous federal, state, and local regulations. Since 1960, IME's SLPs have been cited in federal regulations 42 times.

Background

It has been more than two decades since the last comprehensive review of ATF's regulations for commercial explosives. As a result, current rules and definitions are increasingly misaligned with modern industry practices and today's business environment. Some regulations have become unnecessarily burdensome without providing meaningful improvements to safety or security.

The Role of the ATF

The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) serves as the primary federal regulator of the commercial explosives industry. IME has worked collaboratively with ATF to propose regulatory updates and has found a cooperative partner in the agency.

IME's top three regulatory modernization priorities include:

- 1 Timely background checks and clearances for workers
- 2 Modernization of recordkeeping requirements
- 3 Adoption of the IME Safety Analysis for Risk (IMESAFR)

1 Timely Background Checks and Clearances

All personnel who handle commercial explosives must undergo ATF background checks. In some cases, these checks can take up to six months, disrupting operations in an already tight labor market.

IME Recommends:

- Expediting background checks through the FBI's National Instant Criminal Background Check System (NICS)
- Making background clearance records transferable between employers
- Creating a timely appeal or relief process for long-standing employees flagged during renewal of their Federal Explosives License/Permit (FEL/FEP)
- Allowing subcontractors, temporary workers, and interns to be vetted as an Employee Possessor under a company's federal explosives license

2 Modernize Recordkeeping Requirements

Accurate inventory tracking is vital for ensuring the safety and security of commercial explosives. However, current regulations need modernization to support more efficient recordkeeping.

IME Recommends:

- Update regulations to formally allow electronic recordkeeping, which ATF currently permits only on a case-by-case basis
- Permit a unified set of records for companies, rather than requiring separate records for import, export, distribution, and use—improving both efficiency and security

3 Adopt IMESA FR as a Risk Management Tool

The American Table of Distances (ATD) - originally developed by IME more than a century ago - provides safety guidelines for storing commercial explosives. With advancements in explosives and industry practices, IME developed the IME Safety Analysis for Risk (IMESA FR) in partnership with APT Research in 2004. This quantitative risk assessment tool models potential hazards to workers and the public from explosive facilities and operations.

IME Recommends:

- ATF should formally adopt IMESA FR as a recognized tool for businesses to assess and mitigate risk while enhancing public and workforce safety

IME's Asks for Congress:



Provide dedicated funding to complete the development of electronic forms

(e-forms) for the Federal Explosives License/Permit (FEL/FE P), Responsible Person Questionnaire (RPQ), and Employee Possessor Questionnaire (EPQ). Transitioning to e-forms will reduce processing times, reduce government costs, and provide greater certainty for both employees and employers. Increased certainly will lead to better outcomes for not only the commercial explosives industry but the sectors it supports including the mining/quarrying, construction/infrastructure, and energy sectors.



Encourage ATF to modernize its regulatory framework

- specifically the Orange Book - to reflect today's technology and business practices, improving both compliance and administrative efficiency.

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