

IME

institute of makers of explosives

The safety and security institute of the commercial explosives industry - Founded 1913

April 4, 2019

Ms. Krissy Carlson
Chief, Firearms & Explosives Industry Division
Enforcement Programs & Services Directorate
Bureau of Alcohol, Tobacco, Firearms and Explosives
99 New York Ave., NE
Washington, DC 20226
Krissy.Y.Carlson@usdoj.gov

RE: Final Rule – Separation Distances of Ammonium Nitrate and Blasting Agents from Explosives or Blasting Agents

Dear Chief Carlson,

On April 1, 2019, the Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”) published in the Federal Register [Vol. 84, No. 62, Docket No. ATF 2002R-226F; AG Order No. 4418-2019] a Final Rule, “Separation Distances of Ammonium Nitrate and Blasting Agents from Explosives or Blasting Agents” (“Final Rule”). On behalf of our member companies who are Federal Explosives License holders, the Institute of Makers of Explosives (“IME”) is requesting a determination to clarify the regulation as promulgated:

Is it correct that, within the Table of Distances set forth at 27 CFR 555.220, “all ammonium nitrate” that is considered an acceptor includes the following?

- Solid ammonium nitrate in prill, flake, and granule form;
- AN solutions greater than 93%; and/or
- Unsensitized AN emulsions watergels and emulsions classified as UN3375 by the U.S. Department of Transportation.

Is it correct that, within the Table of Distances set forth at 27 CFR 555.220, “all ammonium nitrate” does NOT refer to the following?

- AN solutions less than 93%.

Supporting information for this determination request can be found in IME’s [Guidance Document Regarding Acceptors under ATF Regulations at 27 CFR 555.220](#), which is posted on our website at www.ime.org. IME, on behalf of its members, is not requesting clarification as related to “ammonium nitrate explosives mixtures” that are defined as high explosives or blasting agents in the Final Rule.

As the safety and security association that has represented the commercial explosives industry since 1913, IME has a vested interest in the Agency's response on behalf of the wellbeing of our member companies' employees and the public. Should you have any questions regarding this request for determination, I can be reached at (202) 266-4320 or dsatkowiak@ime.org.

Thank you in advance for your prompt reply to this request for determination.

Sincerely,

A handwritten signature in blue ink that reads "Debra S Satkowiak". The signature is written in a cursive style and is positioned above the typed name and title.

Debra S. Satkowiak
President