



## **CITY OF MANTECA - FIRE DEPARTMENT**

### **FIRE PREVENTION BUREAU**

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## **EXPLOSIVES PERMIT REQUIREMENTS**

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### **105.6.15**

An operational permit is required for the manufacture, storage, handling, sale or use of any quantity of explosives, explosive materials, fireworks or pyrotechnic special effects within the scope of Chapter 56. See Health and Safety Code Division 11 Part 1, Sections 12000, et seq. for additional requirements.

**EXPLOSIVE.** A Chemical compound, mixture or device, the primary or common purpose of which is to function by explosion. The term includes, but is not limited to dynamite, black powder, pellet powder, initiating explosives, detonators, safety, fuses, squibs, detonating cord, igniter cord, igniters and display fireworks, 1.3G.

The term "Explosive" includes any material determined to be within the scope of USC title 18: chapter 40 and also includes any material classified as an explosive other than consumer fireworks, 1.4G by the hazardous materials regulations of DOTn 49 CFR Parts 100-185

**5601.1.1 Explosive material standard.** In addition to the requirements of this chapter, NFPA 495 shall govern the manufacture, transportation, storage, sale, handling and use of explosive materials.

**5601.1.2 Explosive material terminals.** In addition to the requirements of this chapter, the operation of explosive material terminals shall conform to the provisions of NFPA 498.

**5601.1.3 Fireworks.** The possession, manufacture, storage, sale, handling and use of fireworks are prohibited.

### **Exceptions:**

1. Storage and handling of fireworks as allowed in Section 5604.
2. Manufacture, assembly and testing of fireworks as allowed in Section 5605.
3. The use of fireworks for display as allowed in Section 5608.

4. The possession, storage, sale, handling and use of specific types of Division 1.4G fireworks where allowed by applicable laws, ordinances and regulations, provided such fireworks comply with, NFPA 1124, CPSC 16 CFR, Parts 1500 and 1507, and DOT 49 CFR, Parts 100-178, for consumer fireworks.

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**5601.1.4 Rocketry.** The storage, handling and use of model and high-power rockets shall comply with the requirements of NFPA1122, NFPA1125, and NFPA1127.

**5601.1.5 Ammonium nitrate.** The storage and handling of ammonium nitrate shall comply with the requirements of NFPA 490 and Chapter 40.

**Exception:** Storage of ammonium nitrate in magazines with blasting agents shall comply with the requirements of NFPA 495.

**5601.1.2.1 Residential uses.** No person shall keep or store, nor shall any permit be issued to keep or store, any explosives at any place of habitation, or within 100 feet (30 480 mm) thereof.

**Exception:** Storage of smokeless propellant, black powder, and small arms primers for personal use and not for resale in accordance with Section 5606.

**5601.2.2 Sale and retail display.** No person shall construct a retail display or offer for sale explosives, explosive materials, or fireworks upon highways, sidewalks, public property, or in Group A or E occupancies.

**5601.2.3 Permit restrictions.** The fire code official is authorized to limit the quantity of explosives, explosive materials, or fireworks permitted at a given location. No person, possessing a permit for storage of explosives at any place, shall keep or store an amount greater than authorized in such permit. Only the kind of explosive specified in such a permit shall be kept or stored.

**5601.2.4 Financial responsibility.** Before a permit is issued, as required by Section 3301A.2, the applicant shall file with the jurisdiction a corporate surety bond in the principal sum of \$100,000 or a public liability insurance policy for the same amount, for the purpose of the payment of all damages to persons or property which arise from, or are caused by, the conduct of any act authorized by the permit upon which any judicial judgment results. The fire code official is authorized to specify a greater or lesser amount when, in his or her opinion, conditions at the location of use indicate a greater or lesser amount is required. Government entities shall be exempt from this bond requirement.

**5601.2.4.1 Blasting.** Before approval to do blasting is issued, the applicant for approval shall file a bond or submit a certificate of insurance in such form, amount and coverage as determined by the legal department of the jurisdiction to be adequate in each case to indemnify the jurisdiction against any and all damages arising from permitted blasting.

**5601.2.4.2 Fireworks display.** The permit holder shall furnish a bond or certificate of insurance in an amount deemed adequate by the fire code official for the payment of all potential damages to a person or persons or to property by reason of the permitted display, and arising from any acts of the permit holder, the agent, employees or subcontractors.

**5601.3 Prohibited explosives.** Permits shall not be issued or renewed for possession, manufacture, storage, handling, sale or use of the following materials and such materials currently in storage or use shall be disposed of in an approved manner.

1. Liquid nitroglycerin.
2. Dynamite containing more than 60-percent liquid explosive ingredient.
3. Dynamite having an unsatisfactory absorbent or one that permits leakage of a liquid explosive ingredient under any conditions liable to exist during storage.
4. Nitrocellulose in a dry and uncompressed condition in a quantity greater than 10 pounds (4.54 kg) of net weight in one package.
5. Fulminate of mercury in a dry condition and fulminate of all other metals in any condition except as a component of manufactured articles not hereinafter forbidden.
6. Explosive compositions that ignite spontaneously or undergo marked decomposition, rendering the products of their use more hazardous, when subjected for 48 consecutive hours or less to a temperature of 167°F (75°C).
7. New explosive materials until approved by DOT, except that permits are allowed to be issued to educational, governmental or industrial laboratories for instructional or research purposes.
8. Explosive materials condemned by DOT.
9. Explosive materials containing an ammonium salt and a chlorate.
10. Explosives not packed or marked as required by DOT 49 CFR, Parts 100-178.

**Exception: Gelatin dynamite.**

**5601.4 Qualifications.** Persons in charge of magazines, blasting, fireworks display, or pyrotechnic special effect operations shall not be under the influence of alcohol or drugs which impair sensory or motor skills, shall be at least 21 years of age, licensed by the State of California as a blaster and shall demonstrate knowledge of all safety precautions related to the storage, handling or use of explosives, explosive materials or fireworks.

**Storage with other materials.** Magazines shall be used exclusively for the storage of explosive materials and other blasting materials approved by the fire code official. Tools, other than approved conveyors, shall not be stored in magazines. Items of hardware which contain igniters, detonators, propellants or explosives shall not be stored in the same magazine with other explosives.

Explosives which are subject to mass detonation, such as lead azide, lead styphanate, dynamite, photo flash powder and black powder shall not be stored with other explosives.

**Exception:** Black sporting powder may be stored with smokeless sporting powder in retail commercial stores when quantities are limited to those allowed in Section 3306A with the approval of the Fire Code Official.

**5601.5 Supervision.** The fire code official is authorized to require operations permitted under the provisions of Section 3301A.2 to be supervised at any time by the fire code official in order to determine compliance with all safety and fire regulations.

**5601.6 Notification.** Whenever a new explosive material storage or manufacturing site is established, including a temporary job site, the local law enforcement agency, fire department, and local emergency planning committee shall be notified 48 hours in advance, not including Saturdays, Sundays and holidays, of the type, quantity and location of explosive materials at the site.

**5601.7 Seizure.** The fire code official is authorized to remove or cause to be removed or disposed of in an approved manner, at the expense of the owner, explosives, explosive materials or fireworks offered or exposed for sale, stored, possessed or used in violation of this chapter.

**5608.8 Establishment of quantity of explosives and distances.**

The quantity of explosives and distances shall be in accordance with Sections 3301A.8.1 and 5601.8.1 and 5601.8.1.1.

**5601.8.1 Quantity of explosives.** The quantity-distance(Q-D) tables in Sections 5604.5 and 5605.3 shall be used to provide the minimum separation distances from potential explosion sites as set forth in Tables 5601.8.1(1) through 5601.8.1(3). The classification and the weight of the explosives are primary characteristics governing the use of these tables. The net explosive weight shall be determined in accordance with Sections 5601.8.1.1 through 5601.8.1.4.

**5603.3 Loss, theft or unauthorized removal.** The loss, theft or unauthorized removal of explosive materials from a magazine or permitted facility shall be reported to the fire

code official, local law enforcement authorities, and the U.S. Department of Treasury, Bureau of Alcohol, Tobacco and Firearms within 24 hours.

**5603.4 Accidents.** Accidents involving the use of explosives, explosive materials and fireworks, which result in injuries or property damage, shall be reported to the fire code official immediately.

**5603.5 Misfires.** The pyrotechnic display operator or blaster in charge shall keep a record of all aerial shells that fail to fire or charges that fail to detonate.

**5603.6 Hazard communication.** Manufacturers of explosive materials and fireworks shall maintain records of chemicals, chemical compounds and mixtures required by DOL 29 CFR, Part 1910.1200, and Section 407.

**5603.7 Safety rules.** Current safety rules covering the operation of magazines, as described in Section 3304A.7, shall be posted on the interior of the magazine in a visible location.

Additional requirements may apply.