

Compliance Guidelines

The Federal explosives regulations at 27 CFR, Part 555, provide specific storage, conduct of business or operations, and recordkeeping requirements for Federal explosives licensees and permittees. This self-check pamphlet is intended as an aid to comply with those regulatory requirements.

Since Last Inspection

- Ensured that all previous violations were corrected and instructions to avoid repeat violations were followed.
- Notified ATF of any magazine changes, e.g., construction changes or new magazines added (§ 555.63).
- New employee possessors or responsible persons (or changes of responsible persons affecting change of control) reported to ATF (§ 555.57).

Subpart K—Storage

- Explosive materials stored in appropriate type magazine for specific class of explosives (§§ 555.202 and 555.203).
- Net explosives weight in magazine(s) does not exceed weight allowed in Tables of Distances (§§ 555.206; 555.218–555.224).
- Magazines clean, dry, and free of rubbish. Explosive leakage stains cleaned and deteriorated explosives destroyed per manufacturer instructions. No spark-producing tools or cleaning utensils kept in magazines (§§ 555.212 & 555.215).
- Surrounding area clear of rubbish, brush, dry grass, or trees (under 10 feet tall), for not less than 25 feet; volatile materials kept at least 50 feet away from outdoor magazines (§ 555.215).
- Each door secured by 2 mortise locks; 2 padlocks fastened in separate hasps & staples; a mortise lock requiring 2 keys; a 3-point lock or combination of mortise and padlock. (Padlocks have at least 5 tumblers and casehardened or boron alloy shackles at least 3/8" diameter) (§§ 555.207–555.211). (See also, ATF Rulings 2004-3, 2011-2 and 2011-3.)
- Padlocks protected by ¼-inch steel hoods (for doors not secured on inside via bolt, lock, or bar) (§§ 555.207–555.211).

Note: semitrailers, trailers and similar vehicular type 5 magazines require only 1 unhooded padlock.

Subpart F—Conduct of Business or Operations

- License/permit posted and available for inspection (§ 555.101).

Transactions Among Licensees/Permittees (Except Limited Permittees)(§ 555.103):

Prior to transfer, verify ID of person obtaining explosive materials by examining identification document, as defined in § 555.11. (Not applicable to delivery by common or contract carrier.)

- Verify licensee/permittee holds valid ATF license/permit; obtain a certified copy of license/permit.
- Obtain current list of names of persons authorized to accept delivery on behalf of purchaser.
- Obtain certified statement of intended use.

Note: this verification requirement also pertains to permittee distributions of surplus materials to another licensee or permittee.

Delivery by Common or Contract Carrier (See also ATF Ruling 2003-5)

- Examine driver's license to verify identity of driver.
- Record name of common/contract carrier and full name of driver.

Distributions to Limited Permittees (LP) (§ 555.105(b))

- A licensee/permittee may distribute explosive materials to an LP who is a resident of the same State in which the distributor's business premises are located.
- LP may receive no more than six deliveries of explosives during the one-year period of the permit.
- LP completes ATF F 5400.4, Limited Permittee Transaction Report; provides form to the distributing licensee.
- Attach ATF F 5400.30, Intrastate Purchase of Explosives Coupon.
- Distributor to retain one copy of ATF F 5400.4 (either chronologically or alphabetically).
- Distributor to mail one copy of ATF F 5400.4 to ATF.

Delivery by Common or Contract Carrier to Limited Permittee:

- Verify and record common carrier, driver identity, and delivery verification information as required under § 555.105(b)(6)(iii). See ATF Ruling 2003-5

for alternative means of verifying receipt of explosive materials.

Subpart G—Records and Reports

- Keep records for at least 5 years from date of transaction (§ 555.121).
- Records must be available for ATF inspection (§ 555.121).
- Conduct and record annual inventory in Daily Summary of Magazine Transaction (DSMT) (§ 555.127). If the inventory doesn't match the DSMT, the licensee or permittee should attempt to reconcile all discrepancies. Any apparent loss of explosive materials that cannot be accounted for with other records (e.g., a shot report specifically showing that the explosives in question were used in blasting) must be reported to ATF in accordance with § 555.30. If records at the premises clearly account for the discrepancy, update the DSMT with a new correcting entry and include a reference to those records.
- Within 24 hours of discovering an explosives theft or loss, contact your local law enforcement authority, notify the U.S. Bomb Data Center (800-461-8841 or after hours at 800-800-3855), and *prepare* an ATF F 5400.5, Report of Theft or Loss-Explosive Materials.

Licensed Importer Records (§ 555.122)

- Record all importations and other acquisitions no later than close of next business day: include date of importation/acquisition, name/brand of manufacturer, country of manufacture, manufacturer's marks of identification, quantity, description and size.
- Record all dispositions no later than close of next business day: include date of disposition, name/brand of manufacturer, country of manufacture, manufacturer's marks of identification, quantity, description, size, and license/permit number of distributee.

Licensed Manufacturer Records (§ 555.123)

- Record manufacture and other acquisitions no later than close of next business day: include date of manufacture/acquisition, manufacturer marks of identification, quantity, name/brand name or description and size.
- Record all dispositions no later than close of next business day: include date of disposition,

name/brand name of manufacturer or name of importer (if any), manufacturer's marks of identification, quantity, description, size, and license/permit number of distributee.

- Record use of explosives manufactured for your own use no later than close of next business day: include date of use, quantity, description and size. Exception: If manufactured for your own use and used at the same site within 24 hours, no use record is required.

Licensed Dealer Records (§ 555.124)

- Record purchase and other acquisitions no later than close of next business day: include date of acquisition, name/brand name of manufacturer and importer, manufacturer's marks of identification, quantity, description, size, and name, address and license/permit number of person from whom explosives were received.
- Record all dispositions, and explosives use, no later than close of the next business day: include date of disposition, name/brand name of manufacturer and importer, manufacturer's marks of identification, quantity, description, size, and license/permit number of distributee.

Permittee Records (§ 555.125(b))

- Record acquisition not later than close of next business day: include date of acquisition, name/brand name of manufacturer, manufacturer's marks of identification, quantity, description, size, and name, address, and license/permit number of person from whom explosives were received.

Permittee Distribution of Surplus Materials to another Licensee/Permittee (§ 555.125(b))

- Record all surplus dispositions no later than close of next business day: include disposition date, name/brand name of manufacturer and importer, manufacturer's marks of identification, quantity, description, size, and license/permit number of distributee.

Additional Information

ATF P 5400.7, Federal Explosives Law and Regulations and other useful pamphlets available at <https://www.atf.gov/resource-center/publications-library>.

Questions regarding specific operations may be sent to the Explosives Industry Programs Branch at eipb@atf.gov. Federal explosives licensees and

permittees also may contact the local ATF office for further assistance or information. ATF office contact information is available at <https://www.atf.gov/contact/atf-field-divisions>.

Notice: The contents of this document do not have the force and effect of law and are not meant to bind the public in any way. This document is intended only to provide clarity to the public regarding existing requirements under the law or Department policies.

U.S. Department of Justice
Bureau of Alcohol, Tobacco, Firearms
and Explosives
99 New York Ave., N.E.
Washington, DC 20226
www.atf.gov



ATF Publication 5400.23
January 2023



ATF

Compliance Guidelines for Explosives Licensees and Permittees

18 U.S.C. §§ 842, 843 and 847
27 CFR Part 555



PROTECTING THE PUBLIC
SERVING OUR NATION