

1 TITLE 62: MINING  
2 CHAPTER I: DEPARTMENT OF NATURAL RESOURCES

3  
4 PART 200  
5 THE ILLINOIS EXPLOSIVES ACT

6  
7 SUBPART A: SCOPE, AUTHORITY AND DEFINITIONS

8  
9 Section  
10 200.10 Scope and Authority  
11 200.11 Definitions  
12 200.12 Incorporated Materials  
13 200.15 Computation of Time  
14 200.20 Marking of Explosives  
15 [200.21 Identification of Non-Commercial and/or Homemade Explosive Materials](#)  
16 200.25 Information Required on Shipping Case  
17 200.30 Records to be Maintained by Persons Transferring Explosive Materials  
18 200.35 Exceptions to Sections 200.10 and 200.30(c)  
19 200.40 Availability of Explosives Materials Records  
20 200.45 Exemption for Federal Personnel  
21 200.50 Transportation on Same Motor Vehicle

22  
23 SUBPART B: EXPLOSIVES LICENSE

24  
25 Section  
26 200.90 Scope  
27 200.93 Notice to Local Authorities  
28 200.96 Application for Original Licensure  
29 200.98 Qualifications for Licensure  
30 200.100 Application for Original Licensure (Repealed)  
31 200.101 Contents of Application  
32 200.102 Fingerprint Cards and Fingerprint-Based Data  
33 200.103 Written Examination  
34 200.104 Incomplete Application  
35 200.105 Denial of Application  
36 200.106 Refusal to Issue Individual Explosives License or Temporary Explosives License  
37 200.107 Explosives License Renewal  
38 200.108 Temporary Explosives License

39  
40 SUBPART C: STORAGE CERTIFICATE APPLICATION

41  
42 Section  
43 200.200 Application for Original Storage Certificate

44 200.201 Contents of Application  
45 200.202 Incomplete Application  
46 200.203 Denial of Application  
47 200.204 Magazine Inspection  
48 200.205 Refusal to Issue  
49 200.206 Renewal

50

SUBPART D: FEES

51

52  
53 Section  
54 200.300 Fees  
55 200.301 Proration of Fees  
56 200.302 Fee Exemption – Government Agencies

57

SUBPART E: CLASSIFICATION OF MAGAZINES AND  
GENERAL STORAGE REQUIREMENTS

58

59  
60  
61 Section  
62 200.400 General Storage Requirements  
63 200.401 Classification of Magazines  
64 200.402 Location of Magazines – Distances and Quantity

65

SUBPART F: MAGAZINE CONSTRUCTION STANDARDS

66

67  
68 Section  
69 200.500 Construction of Magazines  
70 200.501 Type 1 Magazine  
71 200.502 Type 2 Magazine  
72 200.503 Type 3 Magazine  
73 200.504 Type 4 Magazine  
74 200.505 Type 5 Magazine

75

SUBPART G: MAGAZINE OPERATIONS AND MAINTENANCE

76

77  
78 Section  
79 200.600 Magazine Keeper  
80 200.601 Security Precautions  
81 200.602 Safety Precautions – General  
82 200.603 Safety Precautions – Handling and Storage  
83 200.604 Magazine Maintenance and Repair

84

SUBPART H: TYPE 3 MAGAZINES AND VEHICLES AT BLAST AREAS

85

86

87 Section  
 88 200.700 Requirements for Type 3 Magazines  
 89 200.701 On-Site Vehicles; Warning Signs

90

91 SUBPART I: RECORDKEEPING AND REPORTING

92

93 Section  
 94 200.800 Possession of License  
 95 200.801 Posting of Storage Certificate  
 96 200.802 Report of Lost, Stolen or Destroyed Explosives License, Temporary Explosives  
 97 License or Storage Certificate  
 98 200.803 Worn or Damaged License or Storage Certificate  
 99 200.804 Report of Changed Conditions; Cancellation or Modification of Storage  
 100 Certificate  
 101 200.805 Report of Theft or Loss of Explosive Materials and Accidents, Injuries or  
 102 Incidents  
 103 200.806 Records of Transactions – Explosives Licensees, Temporary Explosives  
 104 Licensees and Storage Certificate Holders  
 105 200.807 Daily Summary of Magazine Transactions  
 106 200.808 Transactions – Black Powder  
 107 200.809 Record of Annual Physical Magazine Inventory  
 108 200.810 Inspections (Repealed)  
 109 200.815 Monitoring and Reporting

110

111 SUBPART J: INSPECTION AND ENFORCEMENT

112

113 Section  
 114 200.900 Notice of Department's Intended Action; Contents and Service (Repealed)  
 115 200.901 Request for Hearing on Department's Intended Action; Contents and Service  
 116 (Repealed)  
 117 200.902 Notice of Hearing (Repealed)  
 118 200.903 Postponement or Continuance of Hearing (Repealed)  
 119 200.904 Hearing Officer; Powers and Duties (Repealed)  
 120 200.905 Pre-Hearing Conferences (Repealed)  
 121 200.906 Burden and Standard of Proof (Repealed)  
 122 200.907 Default (Repealed)  
 123 200.908 Evidence (Repealed)  
 124 200.909 Briefs (Repealed)  
 125 200.910 Hearing Officer's Decision (Repealed)  
 126 200.911 Final Administrative Decision (Repealed)  
 127 200.912 Administrative Fines (Repealed)  
 128 200.913 Immediate Suspension Without Notice of Hearing (Repealed)  
 129 200.914 Computation of Time (Repealed)

- 130 200.915 Inspections by the Department
- 131 200.920 Enforcement Actions
- 132 200.925 Notice of Violation
- 133 200.930 Office of Mines and Minerals Director's Decision
- 134 200.935 Process for Assessment of Fines
- 135 200.940 Immediate Suspension or Revocation of License or Storage Certificate
- 136 200.945 Disposal of Explosives; Surrender or Seizure of License, Certificate or Explosives

137  
138 SUBPART K: PROCEDURES FOR ADMINISTRATIVE HEARINGS

- 139
- 140 200.1000 Notice of Department's Intended Action; Contents and Service
- 141 200.1005 Request for Hearing on Department's Intended Action; Contents and Service
- 142 200.1010 Notice of Hearing
- 143 200.1015 Postponement or Continuance of Hearing
- 144 200.1020 Hearing Officer; Powers and Duties
- 145 200.1025 Subpoenas
- 146 200.1030 Record of Proceedings
- 147 200.1035 Pre-Hearing Conference
- 148 200.1040 Burden and Standard of Proof
- 149 200.1045 Default
- 150 200.1050 Evidence
- 151 200.1055 Brief
- 152 200.1060 Hearing Officer's Decision
- 153 200.1065 Final Administrative Decision
- 154 200.1070 Immediate Suspension Without Notice of Hearing
- 155 200.1075 Computation of Time

- 156
- 157 200.APPENDIX A American Table of Distances for Storage of Explosive Materials
- 158 200.APPENDIX B Table of Separation Distances for Low Explosives
- 159 200.APPENDIX C Table of Separation Distances of Ammonium Nitrate and Blasting Agents
- 160 from Explosives or Blasting Agents

161  
162 AUTHORITY: Implementing and authorized by the Illinois Explosives Act [225 ILCS 210] and  
163 49 CFR 173.50, 27 CFR 555.219, 26 CFR 181.109 and 49 CFR 170 through 189.

164  
165 SOURCE: Amended September 15, 1973; codified at 7 Ill. Reg. 12867; Part repealed, new Part  
166 adopted at 14 Ill. Reg. 3503, effective February 23, 1990; amended at 16 Ill. Reg. 11449,  
167 effective July 6, 1992; recodified from the Department of Mines and Minerals to the Department  
168 of Natural Resources at 21 Ill. Reg. 16192; amended at 37 Ill. Reg. 14090, effective August 26,  
169 2013; amended at 45 Ill. Reg. 4490, effective March 26, 2021; amended at 48 Ill. Reg. \_\_\_\_\_,  
170 effective \_\_\_\_\_.

171  
172 SUBPART A: SCOPE, AUTHORITY AND DEFINITIONS

173  
174  
175  
176  
177  
178  
179  
180  
181  
182  
183  
184  
185  
186  
187  
188  
189  
190  
191  
192  
193  
194  
195  
196  
197  
198  
199  
200  
201  
202  
203  
204  
205  
206  
207  
208  
209  
210  
211  
212  
213  
214  
215

**Section 200.11 Definitions**

The following definitions have the meanings specified, except when another meaning is provided in this Part:

"Acceptor" means a charge of explosives or blasting agent receiving an impulse from an exploding donor charge.

"Act" means the Illinois Explosives Act [225 ILCS 210].

"Airblast" (also known as "air overpressure") means airborne waves resulting from the detonation of explosives. Airblast may be caused by burden movement or the release of expanding gas into the air. Airblast may or may not be audible.

"Ammonium Nitrate" means the ammonium salt of nitric acid represented by the formula  $\text{NH}_4\text{NO}_3$ .

"ANFO" means an explosive material consisting of ammonium nitrate and fuel oil.

"Artificial Barricade" means an artificial mound or revetted wall of earth of a minimum thickness of 3 feet at the top of the mound or wall, or a mound or revetted wall of other material offering equivalent protection. Artificial barricades that are vegetated shall be of sufficient slope to enable mowing.

"ATF" means the Bureau of Alcohol, Tobacco, Firearms and Explosives, U.S. Department of Justice.

"Attended at all Times" means that the Type 3 magazine and any explosives must always be within the line of sight of, and visible to, a member of the work or blasting crew authorized to enter the magazine.

"Authorized Person" means a person holding a current Illinois [Surface Aggregate Blasting License, Illinois Surface Coal Certification \[225 ILCS 210\]](#), Individual Explosives License or qualifying for an exemption pursuant to Section 200.90(d)(5).

"Barricaded" means the effective screening of a building containing explosives from a magazine or other building, railway, or highway by a natural or an artificial barrier. A straight line from the top of any sidewall of the building containing explosives to the eave line of any magazine or other building or to a point 12 feet above the center of a railway or highway shall pass through the

216 barrier.

217

218 "Black Powder" means a deflagrating or low explosive compound of an intimate  
219 mixture of sulfur, charcoal, and an alkali nitrate, usually potassium or sodium  
220 nitrate.

221

222 "Blast" or "Blasting" means:

223

224 the firing of explosive materials for such purposes as breaking rock or  
225 other material, moving material, generating seismic waves, or initiation of  
226 display fireworks; and

227

228 the assembly of explosive materials for those purposes.

229

230 "Blast Zone" means the area of a blast within the influence of flying rock,  
231 missiles, debris, gases, airblast and any areas where Department regulated display  
232 fireworks are initiated.

233

234 "Blasting Agent" means any material or mixture consisting of a fuel and oxidizer  
235 intended for blasting, not otherwise defined as an explosive, provided that the  
236 finished product, as mixed and packaged for use or shipment, cannot be detonated  
237 by means of a No. 8 blasting cap, as defined by ATF, when unconfined and is  
238 classified as a Division 1.5 material under 49 CFR 173.50.

239

240 "Blasting Cap" means a detonator that is initiated by a safety fuse.

241

242 "Bulk Mix" means a mass of explosive material prepared for use in bulk form  
243 without packaging.

244

245 "Bulk Mix Truck or Delivery Equipment" means equipment (usually a motor  
246 vehicle with or without a mechanical delivery device) that transports explosive  
247 materials in bulk form for mixing or loading directly into blastholes, or both.

248

249 "Bullet-Resistant" means magazine walls or doors of construction resistant to  
250 penetration of a bullet of 150-grain M2 ball ammunition having a nominal muzzle  
251 velocity of 2700 feet per second fired from a .30 caliber rifle from a distance of  
252 100 feet perpendicular to the wall or door. When a magazine ceiling or roof is  
253 required to be bullet-resistant, the ceiling or roof shall be constructed of materials  
254 comparable to the side walls or of other materials that will withstand penetration  
255 of the bullet described in this definition when fired at an angle of 45 degrees from  
256 the perpendicular. Tests to determine bullet resistance shall be conducted on test  
257 panels or empty magazines that shall resist penetration of 5 out of 5 shots place  
258 independently of each other in an area at least 3 feet by 3 feet.

259  
260  
261  
262  
263  
264  
265  
266  
267  
268  
269  
270  
271  
272  
273  
274  
275  
276  
277  
278  
279  
280  
281  
282  
283  
284  
285  
286  
287  
288  
289  
290  
291  
292  
293  
294  
295  
296  
297  
298  
299  
300  
301

"Bullet-Sensitive Explosive Material" means explosive materials that can be detonated by 150-grain M2 ball ammunition having a nominal muzzle velocity of 2700 feet per second when the bullet is fired from a .30 caliber rifle at a distance of not more than 100 feet and the test material, at a temperature of 70 to 75 F, is placed against a backing material of ½ inch steel plate.

"Cap Sensitivity" means the sensitivity of an explosive to initiation by a detonator. An explosive material is considered to be cap sensitive if it detonates with a No. 8 Test Detonator.

"Certificate" means a storage certificate issued by the Department allowing for the proper storage of explosives in accordance with the Act.

"Deflagration" means an explosive reaction such as a rapid combustion that moves through an explosive material at a velocity less than the speed of sound in the material.

"Department" means Illinois Department of Natural Resources.

"Detonating Cord" means a flexible cord containing a center core of high explosive.

"Detonation" means an explosive reaction that moves through an explosive material at a velocity greater than the speed of sound in the material.

"Detonator" means any device that contains any initiating or primary explosive that is used for initiating detonation and is classified as a Division 1.1 or 1.4 material under 49 CFR 173.50 (March 30, 2017). A detonator may not contain more than 10 grams of total explosives by weight, excluding ignition or delay charges.

"Director" means Director of the Department of Natural Resources or [Director's](#)~~his or her~~ designee.

"Disposal", with respect to explosive materials, means to render inert pursuant to manufacturer's recommendations or commonly accepted industry standards.

"Donor" means an exploding charge producing an impulse that impinges upon an explosive "acceptor" charge.

"Emulsion" means an explosive material containing substantial amounts of oxidizers dissolved in water droplets, surrounded by an immiscible fuel.

302  
303  
304  
305  
306  
307  
308  
309  
310  
311  
312  
313  
314  
315  
316  
317  
318  
319  
320  
321  
322  
323  
324  
325  
326  
327  
328  
329  
330  
331  
332  
333  
334  
335  
336  
337  
338  
339  
340  
341  
342  
343  
344

"Explosive" means any chemical compound, mixture or device, the primary or common purpose of which is to function by explosion, that can be classified as a Division 1.1, 1.2 or 1.3 material under 49 CFR 173.50. The term includes high and low explosives and any explosive devices containing over one quarter ounce of explosive material. This term does not include consumer fireworks that have a bulk total gross weight of under 1,001 pounds, but does include display fireworks. Consumer fireworks with a total gross weight of 1,001 pounds or more are only subject to the storage requirements in this Section as defined in the definition of "Consumer Fireworks".

"Explosive Devices" means devices intended to produce audible and visual effects in conjunction with a detonation or deflagration, commonly referred to as M-devices, quarter sticks, cherry bombs and pipe bombs that exceed the U.S. Consumer Product Safety Commission's explosive weight limits for consumer fireworks that contain explosive material and are therefore classified as illegal under federal and State laws. This term does not include binary exploding targets for their intended personal use (see 27 CFR 555).

"Explosive Materials" means explosives, blasting agents, water gels, detonators, and all items included within the "List of Explosive Materials" provided in 27 CFR 555.23.

"Fire-Resistant" means construction designed to offer reasonable protection against fire.

"Fireworks" means any composition or device designed for the purpose of producing a visible or an audible effect by combustion, deflagration or detonation, and that meets the definition of "consumer fireworks" or "display fireworks" as follows:

"Consumer Fireworks" means any small fireworks device designed to produce visible effects by combustion and that must comply with the construction, chemical composition and labeling regulations of the U.S. Consumer Product Safety Commission (16 CFR 1500 and 1507). Some small devices designed to produce audible effects are included, such as whistling devices, ground devices containing 50 mg (0.77 grain) or less of explosive materials, and aerial devices containing 130 mg (2 grains) or less of explosive materials. Consumer fireworks are classified as Explosives, Class 1, Division 1.4, UN0336 or UN0337, by the U.S. Department of Transportation (USDOT) (see 49 CFR 172.101). No consumer firework cake, designed for non-professional (consumer) use, shall exceed 500 grams in total explosive chemical composition. Any



345 bulk storage or holding of consumer fireworks in quantities of 1,001  
346 pounds or greater, not in compliance with the Pyrotechnic Use Act (425  
347 ILCS 35) and/or Pyrotechnic Distributor and Operator Licensing Act (225  
348 ILCS 227), shall be stored in a Department certified Type 1, Type 2 or  
349 Type 4 magazines and must meet the distancing requirements, contained  
350 within Section 200.Appendix B, as it pertains to the safe storage of low  
351 explosives.~~This term also includes pyrotechnic devices for professional~~  
352 ~~use that are classified as UN0431 or UN0432.~~

353  
354 "Display Fireworks" means large fireworks designed to produce visible or  
355 audible effects by combustion, deflagration or detonation. This term  
356 includes, but is not limited to, salutes containing more than 130 mg (2  
357 grains) of explosive materials, aerial shells containing more than 40 grams  
358 (616 grains) of total pyrotechnic and explosive composition, and other  
359 display pieces that exceed the limits for classification as consumer  
360 fireworks. Display fireworks are classified as Explosives, Class 1,  
361 Division 1.1, 1.2 or 1.3, UN0333, UN0334 or UN0335, by USDOT (see  
362 49 CFR 172.101). This term also includes fused set pieces containing  
363 components that together exceed 50mg of salute powder. This term also  
364 includes pyrotechnic devices for professional use that are classified as  
365 UNO431 or UNO432. Consumer fireworks designed for professional use  
366 and labeled as such by the regulations of the U.S. Consumer Product  
367 Safety Commission (16 CFR 1500 and 1507), such as articles pyrotechnic,  
368 that are similar to consumer fireworks in chemical composition and  
369 construction, but are not intended for consumer usage, shall fall under the  
370 requirements of licensing and storage requirements by the Department for  
371 display fireworks. Any bulk storage or holding of consumer fireworks in  
372 quantities of 1,001 pounds or greater, not in compliance with the  
373 Pyrotechnic Use Act [425 ILCS 35] and/or Pyrotechnic Distributor and  
374 Operator Licensing Act [225 ILCS 227], shall be stored in a Department  
375 certified Type 1, Type 2 or Type 4 magazines and must meet the  
376 distancing requirements in Section 200.Appendix B as it pertains to the  
377 safe storage of low explosives.

378  
379 "Grains" means a system of weight measurement in which 7000 grains are  
380 equivalent to one standard 16-ounce pound (0.45 kg).

381  
382 "Gross Weight" means the total weight of the explosive which includes all aspects  
383 of the product including the actual product, its packaging, and any other packing  
384 required to enable the shipping of the product.

385  
386 "Hardwood" means red oak, white oak, hard maple, ash or hickory, or material of  
387 equivalent structural integrity, free from loose knots, wind shakes or similar

388 defects.

389

390 "High Explosive" means explosives that are characterized by a very high rate of  
391 reaction, high pressure development, and the presence of a detonation wave in the  
392 explosive.

393

394 "Highway" means any public street, public road or public alley and includes  
395 privately financed, constructed or maintained roads that are regularly and openly  
396 traveled by the general public.

397

398 "Inhabited Building" means a building regularly occupied in whole or part as a  
399 habitation for human beings, or any church, schoolhouse, railroad station, store or  
400 other structure where people are accustomed to assembly, except any building or  
401 structure occupied in connection with the manufacture, transportation, storage or  
402 use of explosive materials.

403

404 "Inventory" means a listing of all explosive materials and devices being possessed  
405 or stored in a magazine.

406

407 "License" means a license issued by the Department under Article 2 of the Act  
408 authorizing the holder to possess, use, purchase, transfer or dispose of, but not to  
409 store, explosive materials.

410

411 "Low Explosive" means explosives characterized by deflagration.

412

413 "Magazine" means any building or other structure or container, other than a  
414 factory building, used to store explosive materials. Where mobile or portable type  
415 5 magazines are permissible and used, "magazine", for the purpose of obtaining  
416 certificates and calculating fees, means the site on which the magazines are  
417 located.

418

419 "Magazine Keeper" means a qualified supervisory person licensed by the  
420 Department or otherwise exempted under Article 2 of the Act who is responsible  
421 for:

422

423 acquisition, storage, use, possession, transfer and disposal of explosive  
424 materials, including inventory and transaction records; and

425

426 proper maintenance of explosive materials, storage magazines and  
427 surrounding areas.

428

429 "Natural Barricade" means natural features of the ground, such as hills, or timber  
430 of sufficient density that the surrounding exposures that require protection cannot

431 be seen from the magazine when the trees are bare of leaves.

432

433 "Nonsparking Metal" means a metal that will not produce a spark when struck  
434 with other tools, rock or hard surfaces.

435

436 "Office of Mines and Minerals" or "Office" means the office of the Department of  
437 Natural Resources charged with regulating the storage, use, acquisition,  
438 possession, disposal and transfer of explosive materials pursuant to the Act.

439

440 "Person" means any individual, corporation, company, association, partnership or  
441 other legal entity, except that, with reference to individual licenses or when the  
442 context otherwise requires, person means a natural person.

443

444 "Plywood" means exterior construction-grade plywood.

445

446 "Propagation" means the detonation of explosive charges by an impulse received  
447 from adjacent or nearby explosive charges.

448

449 "Propellant Powder" means an explosive of fine granulation that, through burning,  
450 produces gases at a controlled rate to provide the energy for propelling a  
451 projectile.

452

453 "Railway" means any public steam, electric or other railroad or rail system that  
454 carries passengers for hire, but shall not include auxiliary tracks, spurs and sidings  
455 installed and primarily used in serving any mine, quarry or plant.

456

457 "Salute" means an aerial shell, classified as a display firework, that contains a  
458 charge of flash powder and is designed to produce a flash of light and a loud  
459 report as the pyrotechnic effect.

460

461 "Small Arms Primer" means a device for lighting the powder charge in a modern  
462 cartridge of ammunition.

463

464 "Softwood" means Douglas fir or other wood of equal bullet resistance and free  
465 from loose knots, wind shakes or similar defects.

466

467 "Steel" means general purpose (hot or cold rolled) low-carbon steel or equivalent.

468

469 "Theft-Resistant" means construction designed to deter illegal entry into facilities  
470 used for the storage of explosive materials.

471

472 "Transfer" of explosive materials means to sell, give, distribute or otherwise  
473 dispose of explosive materials.

474  
475 "Unbarricaded" means the absence of a natural or artificial barricade around  
476 explosive storage areas of facilities.  
477

478 "Use" of explosive materials means the detonation, ignition, deflagration,  
479 manufacturing, handling or any other means of initiating explosive materials.  
480

481 "Water Gels" means explosives or blasting agents that contain a substantial  
482 proportion of water.  
483

484 "~~Weather Resistant~~~~Weather-Resistant~~" means construction designed to offer  
485 reasonable protection against weather.  
486

487 (Source: Amended at 48 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)  
488

#### 489 **Section 200.21 Identification of Non-Commercial and/or Homemade Explosive Materials**

490  
491 Non-commercial and/or homemade explosive materials may be identified through laboratory  
492 analysis for explosives material verification, or field tested by a law enforcement bomb  
493 technician who has completed and is currently certified through Hazardous Devices School  
494 operated by the Federal Bureau of Investigation (FBI). The field test shall consist of a "test  
495 burn" to provide verification the material tested is energetic, and then followed by the use of  
496 analytic tools, such as spectrometer/analyzer (when determined safe to perform) by a certified  
497 law enforcement bomb technician. When a certified law enforcement bomb technician  
498 determines that the weight of explosive materials cannot be achieved by weighing the explosive  
499 material safely, the explosive substances and/or the device/containment shall be considered the  
500 total explosive weight. Where the explosives cannot be removed safely from its location and/or  
501 its containment for identification, and the certified bomb technician must initiate or "blow in  
502 place" and/or in its containment, the bomb squad or its representatives shall video record the  
503 initiation of the explosives to provide video evidence the explosives did react by explosion.  
504

505 (Source: Added at 48 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)  
506

#### 507 **Section 200.35 Exceptions to Sections 200.10 and 200.30(c)**

508  
509 Sections 200.10 and 200.30(c) do not apply when the transaction is between the manufacturer of  
510 the explosive material and the manufacturer's employee or when the explosives involved in a  
511 transaction are being shipped by a common carrier direct from the manufacturer's place of  
512 business. This exception does not apply to any non-commercial related transactions (hobbyists).  
513

514 (Source: Amended at 48 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)  
515

516

517  
518  
519  
520  
521  
522  
523  
524  
525  
526  
527  
528  
529  
530  
531  
532  
533  
534  
535  
536  
537  
538  
539  
540  
541  
542  
543  
544  
545  
546  
547  
548  
549  
550  
551  
552  
553  
554  
555  
556  
557  
558  
559

**Section 200.98 Qualifications for Licensure**

- a) The Department will issue a license to an applicant who:
  - 1) is at least 21 years of age;
  - 2) has not been convicted in any court of a crime punishable by imprisonment for a term exceeding one year;
  - 3) is not under indictment or information for a crime punishable by imprisonment for a term exceeding one year;
  - 4) is not a fugitive from justice;
  - 5) is not an unlawful user of or addicted to any controlled substance (as defined in Section 802 of the federal Controlled Substances Act) (21 U.S.C.~~USC~~ 802);
  - 6) has not been adjudicated as a person with a mental disability, as defined in Section 1.1 of the Firearm Owner's Identification Card Act [430 ILCS 65];
  - 7) is a legal citizen of the United States or lawfully admitted for permanent residence; ~~and~~
  - 8) has not been other than honorably~~dishonorably~~ discharged from the armed services; and;
  - 9) does not have any outstanding, unpaid, violations with the Department.
- b) A person who has been granted a "relief from disabilities" regarding criminal convictions and indictments, pursuant to 27 CFR 555.142, may receive a license provided all other qualifications under the Act are met.

(Source: Amended at 48 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 200.101 Contents of Application**

The application for original licensure shall include:

- a) The applicant's full name and any aliases used by the applicant.
- b) The applicant's age, sex and date of birth.

- 560  
561 c) A physical description of the applicant, which shall include height, weight, color  
562 of hair and color of eyes.  
563  
564 d) The applicant's social security number and, if applicable, driver's license number.  
565  
566 e) The applicant's resident address, ~~and~~ telephone number and email address.  
567  
568 f) A description of the purposes for which, and the places where, explosive materials  
569 are to be possessed, used or stored. This shall also include contingency storage.  
570  
571 g) If explosive materials are to be possessed and used in connection with a business:  
572  
573 1) the name of the business;  
574  
575 2) the form of organization of the business;  
576  
577 3) the applicant's relationship to the business; and  
578  
579 4) the address or addresses and telephone number of any offices in this State  
580 out of which the business operates.  
581  
582 h) A recent passport size photograph taken within the preceding 3 years.  
583  
584 i) An employment and personal history statement containing information required  
585 under Section 2005 of the Act.  
586  
587 j) Proof that the applicant is a legal citizen of the United States or lawfully admitted  
588 for permanent residence.  
589  
590 k) Any other applicable information the Department deems appropriate.

591  
592 (Source: Amended at 48 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)  
593

594 **Section 200.103 Written Examination**  
595

- 596 a) The written examination shall encompass, but is not limited to, the following  
597 subject matter:  
598  
599 1) Legal requirements for, and restrictions on, the possession, use, purchase,  
600 transfer, storage and disposal of explosive materials in Illinois.  
601  
602 2) Safety principles in the transport, storage, handling and usage of explosive

603 materials (as set forth in "Safety Library Publication No. 4").

604

605 b) The passing grade shall be at least 80%.

606

607 c) An applicant who fails the first examination may be rescheduled at any time for  
608 re-examination. After the second and each subsequent failure, the  
609 ~~applicant~~~~application~~ is ineligible for further examination until the expiration of at  
610 least 60 days from the previous examination.

611

612 (Source: Amended at 48 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

613

#### 614 **Section 200.104 Incomplete Application**

615

616 If the application does not contain all of the information or documents required under Section  
617 200.101 for evaluation of the application, or if the fingerprint cards or criminal history  
618 background check data ~~as~~ originally submitted cannot be processed, the Department shall notify  
619 the applicant in writing. The notification shall specify the additional information or documents  
620 necessary to ~~complete an evaluation of~~ the application ~~evaluation~~, or state that substitute  
621 fingerprint cards must be submitted, as the case may be, and shall advise the applicant that the  
622 application will be deemed denied unless the information, documents or fingerprint-based data  
623 are submitted within ~~30~~~~60~~ days following the date of notification.

624

625 (Source: Amended at 48 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

626

#### 627 **Section 200.107 Explosives License Renewal**

628

629 a) An explosives license issued pursuant to this Subpart is valid for 3 years from the  
630 date of issuance.

631

632 b) The holder of an explosives license may renew that license during the 60 day  
633 period preceding its expiration date by submitting a renewal application on forms  
634 provided by the Department, together with the required fee (see Subpart D).

635

636 c) Any explosives license not renewed within 30 days following its expiration will  
637 be cancelled. Any requests after that date to renew or restore will be treated as a  
638 new application.

639

640 d) The extended renewal period under subsection (c) does not allow an explosives  
641 licensee to engage in any conduct or activities for which a license is required  
642 during the 30 day period after the license has expired.

643

644 e) An explosives license will not be renewed when the applicant has any  
645 outstanding, unpaid violations with the Department.

646  
647  
648  
649  
650  
651  
652  
653  
654  
655  
656  
657  
658  
659  
660  
661  
662  
663  
664  
665  
666  
667  
668  
669  
670  
671  
672  
673  
674  
675  
676  
677  
678  
679  
680  
681  
682  
683  
684  
685  
686  
687  
688

(Source: Amended at 48 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 200.108 Temporary Explosives License**

- a) Any person who intends to possess, use, purchase, acquire, dispose of or transfer explosive materials in Illinois on a limited basis may make application on forms provided by the Department for a temporary explosives license. The application must be executed under penalties of perjury and accompanied by the required non-refundable fee (see Subpart D). A temporary license shall be issued only once to any individual in any continuous three-year period. A temporary explosives license will not be issued when the applicant has any outstanding, unpaid violations with the Department.
  
- b) The application for temporary explosives licensure shall include the same information required for an original explosives license under Section 200.101 and in addition shall include:
  - 1) Evidence of a valid existing explosives license or storage permit issued by ATF, if the federal license is of a classification appropriate to the activities to be conducted under the temporary explosives license.
  
  - 2) A complete description of the activities requiring the acquisition, storage use, possession, transfer or disposal of explosive materials in Illinois, including the location and length of the project or activity.
  
  - 3) A current and valid storage certificate, if applicable to the activity, issued under Subpart C.
  
  - 4) ~~The applicant must complete~~ a fingerprint-based data background check and must meet all of the qualifications for licensure listed under Section 200.98.
  
- c) A temporary explosives license issued pursuant to this Section shall entitle the holder to engage only in those activities for which the explosives license was issued and shall be valid only until the activities are completed, but in any event, no more than 90 days from the date of issuance.

(Source: Amended at 48 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**SUBPART C: STORAGE CERTIFICATE APPLICATION**

**Section 200.200 Application for Original Storage Certificate**



689  
690  
691  
692  
693  
694  
695  
696  
697  
698  
699  
700  
701  
702  
703  
704  
705  
706  
707  
708  
709  
710  
711  
712  
713  
714  
715  
716  
717  
718  
719  
720  
721  
722  
723  
724  
725  
726  
727  
728  
729  
730  
731

Any person who intends to store explosive materials, or seeks a modification of a storage certificate, shall make application on forms provided by the Department. The application must be executed under penalties of perjury. A storage certificate will not be issued when the applicant has any outstanding, unpaid violations with the Department.

(Source: Amended at 48 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 200.202 Incomplete Application**

If the application does not contain all of the information or documents required under Section 200.201 for the Department to evaluate the application, the Department shall notify the applicant in writing. The notification shall specify the additional information or documents necessary to an evaluation of the application, and shall advise the applicant that the application will be deemed denied unless the information or documents are submitted within 30~~60~~ days following the date of notification.

(Source: Amended at 48 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 200.206 Renewal**

A storage certificate issued under this Subpart shall expire on the last day of February of each year. The holder of a storage certificate may renew the certificate by submitting a renewal application on forms provided by the Department, together with the required fee (see Subpart D). The renewal application and fee shall be delivered to the Department prior to the expiration date of the storage certificate. A storage certificate will not be renewed when the applicant has any outstanding, unpaid violations with the Department.

(Source: Amended at 48 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

SUBPART E: CLASSIFICATION OF MAGAZINES AND  
GENERAL STORAGE REQUIREMENTS

**Section 200.400 General Storage Requirements**

- a) All explosive materials shall be stored in magazines that meet the requirements of this Subpart, unless they are:
  - 1) In process of manufacture.
  - 2) Being used.
  - 3) Being loaded or unloaded into or from transportation vehicles or while in

732 the course of transportation.  
733

- 734 b) When blasting agents are stored in the same magazine with explosives, the  
735 magazine shall be suitable for storage of high explosives.  
736
- 737 c) Detonators, such as blasting caps, electric blasting caps, and electronic or non-  
738 electric delay devices, shall not be stored in the same magazine with other  
739 explosive materials.  
740
- 741 d) Explosive materials that are classified as high explosives, including display  
742 fireworks in USDOT Class 1, Division 1.1, shall be stored in Type 1 or 2  
743 magazines. Explosive materials classified as low explosives, including display  
744 fireworks in USDOT Class 1, Divisions 1.2 and 1.3, shall be stored in Type 1, 2  
745 or 4 magazines. Explosive materials classified as blasting agents shall be stored  
746 in Type 1, 2, 4 or 5 magazines. This shall also include all explosive materials  
747 and/or devices containing those explosive materials greater than one quarter  
748 ounce.  
749
- 750 e) Detonators shall be stored in Type 1 or 2 magazines, ~~except that electric blasting~~  
751 ~~caps having leg wires at least 4 feet long (provided they are in the configuration~~  
752 ~~supplied by the manufacturer) shall be stored in a Type 1, 2 or 4 magazine.~~  
753
- 754 f) Detonating cord shall be stored in either a Type 1 or 2 magazine and may be  
755 stored in these same type magazines with other explosive materials, except  
756 detonators.  
757
- 758 g) Explosive materials, including detonators, may be temporarily contained in a  
759 Type 3 magazine while the explosive materials are being transported or while  
760 attended. Pursuant to ATF Rulings 2009-3 and 2019-1, law enforcement must  
761 store explosives in at least a Type 3 magazine and meet all other criteria in those  
762 holdings.  
763

764 (Source: Amended at 48 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)  
765

## 766 SUBPART F: MAGAZINE CONSTRUCTION STANDARDS 767

### 768 **Section 200.502 Type 2 Magazine** 769

770 A Type 2 magazine shall be a portable or mobile structure, such as a box, skid-magazine, trailer  
771 or semi-trailer, that is bullet resistant, ~~fire-resistant~~ fire resistant, theft resistant, weather resistant,  
772 and ventilated, except that Type 2 indoor magazines need not be bullet or weather resistant or  
773 ventilated. Any construction specified for a Type 1 magazine is acceptable for a Type 2  
774 magazine.

775  
776  
777  
778  
779  
780  
781  
782  
783  
784  
785  
786  
787  
788  
789  
790  
791  
792  
793  
794  
795  
796  
797  
798  
799  
800  
801  
802  
803  
804  
805  
806  
807  
808  
809  
810  
811  
812  
813  
814  
815  
816  
817

- a) Type 2 Outdoor Magazines. Outdoor magazines shall be constructed according to the following specifications or to any of the specifications listed in Section 200.500.
- 1) The exterior and doors shall be constructed of not less than ¼ inch steel and lined with at least two inches of hardwood. Magazines with top openings shall have lids with water-resistant seals or that overlap the sides by at least one inch when in a closed position.
  - 2) Floors covered of ferrous metal shall be covered with a surface of non-sparking material. Magazines with top openings shall have a lid that overlaps the sides by at least one inch when in closed position.
  - 3) The magazine shall be supported in such a manner as to prevent the floor from having direct contact with the ground. Magazines less than one cubic yard in size shall be securely fastened to a fixed object to prevent theft of the entire magazine.
  - 4) Hinges, hasps, locks and locking hardware shall conform to the provisions for Type 1 magazines as specified in Section 200.501(h). When unattended, a vehicular magazine shall have wheels removed, or be locked with a kingpin locking device, or otherwise be effectively immobilized and approved by the Department inspector.
- b) Type 2 Indoor Magazine
- 1) Type 2 indoor magazines constructed of wood shall have sides, bottoms and lids or doors constructed of two inch wood and shall be well braced at corners. The magazines shall be covered with sheet metal of not less than 26-gauge. Nails exposed to the interior of such magazines shall be countersunk.
  - 2) Type 2 indoor magazines constructed of metal shall have sides, bottoms and the lids or doors constructed of 12-gauge metal and shall be lined inside with a non-sparking material. Edges of metal lids shall overlap sides at least one inch.
  - 3) Type 2 indoor magazines shall be provided with substantial wheels or casters to facilitate removal from a building in an emergency. The lid of the magazines shall have substantial strap hinges and a means for locking with at least a five tumbler steel padlock having at least a ¾ inch diameter case-hardened shackle. The magazines shall be kept locked except during

818 the placement or removal of explosive materials.

819

820 4) Type 2 indoor magazines shall bear contrasting lettering, on top, at least  
821 three inches high, reading "Explosives – Keep Fire Away" or a similar  
822 warning.

823

824 (Source: Amended at 48 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

825

### 826 **Section 200.504 Type 4 Magazine**

827

828 A Type 4 magazine shall be a permanent, portable or mobile structure such as a building, igloo,  
829 box, semi-trailer or other mobile containers that is ~~fire-resistant~~ fire resistant, weather resistant  
830 and ventilated, except that over-the-road trucks or semi-trailers used for temporary storage need  
831 not be ventilated or ~~fire-resistant~~ fire resistant.

832

833 a) Type 4 Outdoor Magazine.

834 A Type 4 outdoor magazine shall be constructed of masonry, wood covered with  
835 metal, fabricated metal or a combination of these materials. Inside walls shall be  
836 constructed of non-sparking materials. The door shall be metal or wood covered  
837 with metal. The requirements of Section 200.501(e), (f) and (h) pertaining to  
838 foundations, floors, hinges, hardware and locks shall apply to permanent Type 4  
839 outdoor magazines.

840

841 b) When unattended, a vehicular magazine shall have wheels removed, or be locked  
842 with a kingpin locking device, or otherwise be effectively immobilized and  
843 approved by the Department inspector.

844

845 c) Type 4 Indoor Magazine.

846 A Type 4 indoor magazines shall be constructed in accordance with the provisions  
847 for a Type 2 indoor magazine set forth in Section 200.502.

848

849 (Source: Amended at 48 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

850

## 851 **SUBPART G: MAGAZINE OPERATIONS AND MAINTENANCE**

852

### 853 **Section 200.602 Safety Precautions – General**

854

855 a) Safety Rules

856 Safety rules (available from the Department) covering the operations of  
857 magazines shall be posted on the interior of the magazine door.

858

859 b) Warning Signs

860 The premises upon which all outdoor magazines are located shall be posted with

861 signs reading "Explosives – Keep Off" or "Explosives – Magazine – Dangerous"  
862 or bearing other similar words of warning. Signs shall be located so that a bullet  
863 passing directly through the sign cannot strike the magazine.  
864

865 c) Combustible, Sparking Materials, Equipment  
866 Magazines shall be used exclusively for the storage of explosive materials and  
867 blasting accessories. No metal tools, other than nonferrous conveying equipment,  
868 may be stored in the magazine unless protected by a non-sparking paint.  
869 Combustible materials shall not be stored within 50 feet of magazines.  
870

871 d) Smoking, Flames, Magazines  
872 Smoking, matches, open flames, spark-producing devices, and firearms shall not  
873 be permitted inside of, or within 50 feet of, magazines, except that authorized  
874 persons may carry firearms within 50 feet of, but not inside, a magazine.  
875

876 e) Smoking, Flames, Explosive Materials  
877 Smoking, matches, open flames, spark-producing devices not intended for  
878 initiation, and firearms shall not be permitted within 50 feet of any person  
879 possessing or handling explosive materials.  
880

881 f) Unstable, Leaking Materials  
882 When explosive materials have deteriorated to an extent that they are in an  
883 unstable or dangerous condition, or leaked explosive components are present, then  
884 the person in possession of the explosive material shall immediately proceed to  
885 deal with the explosive material in accordance with the instructions of the  
886 manufacturer. Only authorized persons shall direct the work of destroying  
887 explosive materials. If the person does not or is unable to dispose of the hazard  
888 immediately, the Department may seize the explosive materials and have them  
889 rendered safe by a certified bomb technician.  
890

891 g) Under the Influence During Use or Possession of Explosive Materials  
892

893 1) No person shall use or possess explosive materials while under the  
894 influence of:

895 A1) alcohol;

896 B2) any narcotic drug, as defined in the federal Controlled Substances  
897 Act (21 U.S.C.~~USC~~ 802); or

898 C3) marijuana, as defined in the federal Controlled Substances Act.  
899

900 2) In the event that there is a reasonable suspicion of any individual being under the  
901  
902  
903

influence, the individual shall consent to testing performed by personnel certified to perform such testing.

(Source: Amended at 48 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 200.603 Safety Precautions – Handling and Storage**

- a) Use of Stocks  
When explosive material is removed from a magazine for use, the oldest stocks shall be removed first. When the certificate holder has adopted a quality control program that does not necessarily involve the removal of the oldest stock first, but that complies with Section 200.602(f), the requirements of this subsection shall be deemed to be met.
- b) Like Stocks Together  
Corresponding grades and brands shall be stored in a magazine together and in such a manner that brand and grade marks are visible. All stocks shall be stored so as to be easily counted and checked.
- c) Stacking  
Containers of explosive materials shall be stacked in a stable manner to prevent shifting or falling. Rigid containers of explosive materials shall be laid flat, and cases shall be placed with top side up.
- d) Ventilation  
Explosive materials shall be stored within a magazine so as not to interfere with required ventilation.
- e) Black Powder  
Black powder, when stored in the same magazine with other explosive material, shall be stacked separately.
- f) Containers  
Containers of explosive materials that have been opened shall be securely closed before being placed in a magazine. Only fiberboard containers may be opened in the magazine. Explosive materials shall be stored in the original container.
- g) Damaged Containers  
Containers of damaged explosive materials shall not be unpacked or repacked in, or within 50 feet of, a magazine or in close proximity to other explosive materials.
- h) Non-Sparking Tools  
Tools used for opening containers of explosive materials shall be constructed of

947 non-sparking material, except that metal slitters may be used for opening  
948 fiberboard containers, provided that the metal slitter does not come into contact  
949 with any metallic fasteners that may be in, or part of, the case. Only a wooden  
950 wedge and a fiber, rubber or wooden mallet shall be used for opening or closing  
951 wood containers of explosive materials.

952

953 i) Stained Floors

954 Magazine floors stained with leaked explosive components shall be dealt with  
955 according to instructions of the manufacturer.

956

957 j) Distance Between Staging Area and Spectators

958 The distance from the spectators to the staging area, also known as the blast zone  
959 or display site, for an aerial fireworks display shall be no less than 70 feet for  
960 every inch of diameter of the largest shell being used.

961

962 k) When working from a barge or floating platform, personal floatation devices  
963 equipped with a visual location device (water activated flashing light) is required  
964 during initiation of explosives.

965

966 l) Staple Guns

967 Staple guns cannot be used to secure quick match to the mortar rack of any type  
968 of pyrotechnic material.

969

970 m) Prior to initiation:

971

972 1) Ample warning shall be given to allow all persons to be evacuated.

973

974 2) All access routes to the blast zone shall be guarded or barricaded to  
975 prevent the passage of unauthorized persons or vehicles.

976

977 3) The initiation system shall not be connected to the explosives or explosive  
978 device until just prior to initiation.

979

980 n) Outdoor explosive storage magazines shall be grounded to prevent the  
981 accumulation of static electricity and stray current.

982

983 (Source: Amended at 48 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

984

985 **SUBPART H: TYPE 3 MAGAZINES AND VEHICLES AT BLAST AREAS**

986

987 **Section 200.700 Requirements for Type 3 Magazines**

988

989 a) Type 3 magazines are intended only for the temporary containment of explosive

990 materials and are authorized for storage only during transport to, and use at, the  
991 blast area. A storage certificate is not required for a Type 3 magazine.

992  
993 b) Type 3 magazines containing explosive materials must be attended at all times.  
994 For the purposes of this subsection, "attended at all times" means that the  
995 magazine must always be within the line of sight of, and visible to, a member of  
996 the work or blasting crew authorized to enter the magazine. Pursuant to ATF  
997 Rulings 2009-3 and 2019-1, this subsection does not apply to law enforcement.

998  
999 c) Type 3 magazines must be locked during transport to and from the permanent  
1000 magazine and blast area except during continuous drilling and loading at the site.  
1001 The requirements that Type 3 magazines be locked as specified in this subsection  
1002 are in addition to the requirements that Type 3 magazines be attended at all times.

1003  
1004 d) Daily, at the conclusion of blasting operations, all explosive materials shall be  
1005 returned to a Type 1, 2, 4 or 5 magazine, as appropriate, for unattended storage.

1006  
1007 e) All regulated explosives that are in a Type 3 magazine and/or at a blast/display  
1008 site or any other site, and that are not being stored in a Department certified  
1009 explosive storage magazine, must be attended at all times.

1010  
1011 f) Type 3 magazines and blast zones shall be posted with warning signs in  
1012 accordance with Section 200.701(a).

1013  
1014 g) A person who may or may not meet the minimum criteria for qualifying under the  
1015 regulated guidelines set forth by the Federal Department of Transportation,  
1016 Pipeline and Hazardous Materials Safety Administration, shall at a minimum,  
1017 adhere to the standards set forth by this Part, including, but not limited to, the  
1018 Federal Department of Transportation hazmat placarding, during transportation,  
1019 explosives transportation requirement for a Type 3 magazine, the standards set  
1020 forth by this Part, including, but not limited to, Sections 200.503 and 200.700, and  
1021 any necessary records providing detailed information of the explosive materials,  
1022 as listed in Section 200.30 to the Federal Department of Transportation hazmat  
1023 placarding, during transportation, explosives transportation requirement for a  
1024 Type 3 magazine, the standards set forth by this Part, including, but not limited to,  
1025 Sections 200.503 and 200.700, and any necessary records providing detailed  
1026 information of the explosive materials, as listed in Section 200.30.

1027  
1028 (Source: Amended at 48 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

1029  
1030 SUBPART I: RECORDKEEPING AND REPORTING

1031  
1032 **Section 200.805 Report of Theft or Loss of Explosive Materials and Accidents, Injuries or**



1033 **Incidents**

1034

1035 a) An explosives license holder, temporary explosives license holder, or storage  
 1036 certificate holder shall immediately report to the Office of Mines and Minerals by  
 1037 telephone at (217)782-9976 and in writing within 24 hours after any accident,  
 1038 injury or incident involving explosive materials. This shall include recovery or  
 1039 seizure of explosive materials from any individual, licensed or unlicensed, or  
 1040 unplanned initiation of explosive materials, or unplanned events after explosive  
 1041 initiations, including any explosives accident, injury, or incident that results in  
 1042 death, personal injury ~~requiring medical attention,~~ or property damage. This  
 1043 written notice may be submitted by email at DNR.Explosives@illinois.gov.

1044

1045 b) An explosives licensee, temporary explosives licensee, or storage certificate  
 1046 holder shall report the theft or loss of explosive materials to the Office of Mines  
 1047 and Minerals immediately by telephone at (217)782-9976 within 24 hours after  
 1048 discovery. These same reporting requirements apply to the loss of explosive  
 1049 materials due to bankruptcy, when explosive materials are under the control of  
 1050 another person that is not in compliance with the requirements of the Act or this  
 1051 Part. The explosives licensee, temporary explosives licensee or storage certificate  
 1052 holder shall also immediately notify local law enforcement of the theft or loss of  
 1053 explosive materials.

1054

1055 c) The written notice shall be executed under penalties of perjury and shall include a  
 1056 complete description of the explosive materials, including the manufacturer,  
 1057 brand name, any manufacturer marking, quantity, and the circumstances  
 1058 surrounding the theft or loss. The written notice shall also identify local law  
 1059 enforcement agencies contacted by the explosives licensee or storage certificate  
 1060 holder. This written notice may be submitted by email to  
 1061 DNR.Explosives@illinois.gov.

1062

1063 (Source: Amended at 48 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

1064

1065 **Section 200.806 Records of Transactions – Explosives Licensees, Temporary Explosives**  
 1066 **Licensees and Storage Certificate Holders**

1067

1068 a) The requirements of this Section shall not apply to any explosives licensee or  
 1069 storage certificate holder who is a holder of an explosives license, a temporary  
 1070 explosives license or permit issued by ATF and who satisfies the recordkeeping  
 1071 requirements for transactions of explosive materials prescribed by ATF, except  
 1072 that, in all cases, the information required under subsection (b)(2) shall be  
 1073 recorded. Unless otherwise exempted by the Act, it shall be unlawful to sell  
 1074 explosives to a person who does not possess a valid Illinois explosives license or  
 1075 storage certificate. The Department shall be allowed to inspect all ATF records.

1076 Failure to produce the records or failure to keep complete records may be cause  
 1077 for enforcement action under Subpart J.

1078  
 1079 b) Any person.~~An~~ explosives licensee, ~~a~~ temporary explosives licensee or ~~a~~ holder of  
 1080 a storage certificate shall maintain a record of each transaction in which explosive  
 1081 materials are sold, purchased, used, disposed of or otherwise transferred. The  
 1082 record shall be made on a sales slip, delivery ticket, invoice, ATF transaction  
 1083 record form, or other document and shall include:

- 1084  
 1085 1) the name and address of the seller or person from whom the explosive  
 1086 materials were procured;  
 1087  
 1088 2) the name, address and Illinois explosives license, temporary explosives  
 1089 license or storage certificate number (with expiration date), if applicable,  
 1090 of the purchaser or person to whom the explosive materials were  
 1091 delivered;  
 1092  
 1093 3) the date of purchase or delivery; and  
 1094  
 1095 4) the quantity and description of the explosive materials.

1096  
 1097 c) Records of transactions for each explosives license, temporary explosives license  
 1098 or storage certificate shall be kept and maintained for a minimum of five~~three~~  
 1099 years. The transaction records shall be produced by the licensee or certificate  
 1100 holder upon request by the Department.

1101  
 1102 (Source: Amended at 48 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

1103  
 1104 **Section 200.807 Daily Summary of Magazine Transactions**

1105  
 1106 ~~a)~~A record of the daily inventory shall be kept for each magazine other than a Type 3 magazine.  
 1107 The record shall contain, by manufacturer or brand name, the total quantity of explosive  
 1108 materials received in and removed from the magazine, and the total remaining on hand at the end  
 1109 of the day. Any discrepancy that indicates a theft or loss of explosive materials must be reported  
 1110 in accordance with Section 200.805. The daily inventory records shall be kept for at least  
 1111 five~~three~~ years.

1112  
 1113 ~~b) The requirements of this Section shall not apply to a storage certificate holder  
 1114 who is a holder of a license or permit issued by ATF and who satisfies the  
 1115 requirements for making daily summaries of magazine transactions prescribed by  
 1116 ATF, but compliance will not relieve the holder from making any reports under  
 1117 Section 200.805. The Department shall be allowed to inspect the inventory  
 1118 records. Failure to produce the records or failure to keep complete records may~~

1119 ~~be cause for enforcement action under Subpart J.~~

1120  
1121 (Source: Amended at 48 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

1122  
1123 **Section 200.808 Transactions – Black Powder**

1124  
1125 a) In lieu of the requirements of Sections 200.806 and 200.807, a holder of a storage  
1126 certificate who engages in the sale of black powder in quantities not exceeding 5  
1127 pounds for sporting and recreational uses shall maintain a record of each  
1128 transaction. The record shall be made in a book or ledger kept for that purpose  
1129 and shall include:

- 1130  
1131 1) the name, address and storage certificate number of the seller;  
1132  
1133 2) the name and address of the purchaser;  
1134  
1135 3) the Firearm Owner's Identification (FOID) card number of the purchaser if  
1136 the purchaser is a resident of Illinois, or other positive identification if the  
1137 purchaser is a non-resident;  
1138  
1139 4) the date of purchase; and  
1140  
1141 5) the quantity of black powder transacted.

1142  
1143 b) Records of transactions shall be kept in chronological order and maintained for a  
1144 minimum of ~~five~~three years from the date of the transaction at the storage site.

1145  
1146 (Source: Amended at 48 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

1147  
1148 **SUBPART J: INSPECTION AND ENFORCEMENT**

1149  
1150 **Section 200.915 Inspections by the Department**

1151  
1152 a) Explosives licensees, temporary explosives licensees, persons, and storage  
1153 certificate holders shall make all required records available to authorized  
1154 representatives of the Department and shall permit their locations and facilities to  
1155 be inspected by representatives of the Department. A person who is unlicensed  
1156 and/or has storage that has not been certified by the Department will only be  
1157 inspected when there is probable cause established prior to the inspection.

1158  
1159 b) The Department will conduct inspections of explosives locations and facilities as  
1160 follows:  
1161

- 1162 1) Upon receipt of an original, renewal or modification storage certificate  
1163 application;  
1164  
1165 2) At such other times and conditions as the Department deems appropriate.  
1166 Inspections may be conducted randomly without prior notice; or  
1167  
1168 3) Upon complaint from the industry, public, ~~or~~ agencies of the State or  
1169 federal agencies regarding the safe and proper storage, handling, and use  
1170 of explosive materials.  
1171  
1172 c) Obstruction of an inspection or investigation, by licensed or unlicensed persons,  
1173 will result in an immediate suspension of the license and/or storage certificate of a  
1174 licensed person, and those persons, licensed or unlicensed, are subject to  
1175 violations and penalties per Section 5011 of the Act. ~~All Department employees~~  
1176 ~~shall inform the person or the person's designated representative, if either is~~  
1177 ~~present, upon arrival at the inspection site.~~  
1178

1179 (Source: Amended at 48 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)  
1180

1181 **Section 200.920 Enforcement Actions**  
1182

- 1183 a) Pursuant to Sections 2011, 3002, 3004, ~~and~~ 5001 and 5006 of the Act, the  
1184 Department is authorized to take the following enforcement actions:  
1185  
1186 1) refuse to issue or renew an explosives license, a temporary explosives  
1187 license, or a storage certificate, as set forth in Subparts B and C;  
1188  
1189 2) suspend or revoke an explosives license, a temporary explosives license,  
1190 or a storage certificate with notice of a hearing;  
1191  
1192 3) summarily suspend or revoke an explosives license, a temporary  
1193 explosives license, or a storage certificate without notice of a hearing  
1194 when the Department finds that a condition or practice exists that could  
1195 reasonably be expected to cause death, serious physical harm, or property  
1196 damage;  
1197  
1198 4) cancellation of a storage certificate for storage of explosive materials in  
1199 excess of the amount authorized by the certificate or change in physical  
1200 conditions surrounding the magazine, as set forth in Subpart I;  
1201  
1202 5) imposition of fines not to exceed \$5,000 per occurrence;  
1203

- 1204 6) issuance of a notice of violation;  
1205  
1206 7) imposition of temporary or permanent conditions on a license or storage  
1207 certificate;  
1208  
1209 8) any other disciplinary action the Department may deem proper; ~~and~~  
1210  
1211 9) apply for an administrative search warrant; and-  
1212  
1213 10) issuance of a violation to any individual/person possessing, using,  
1214 acquiring, transferring, handling, disposing, or storage explosive materials  
1215 in a manner that endangers the public health, safety, of welfare (public  
1216 endangerment) pursuant to 225 ILCS 210 and this Part.  
1217  
1218 b) Term of Suspension or Revocation  
1219 In those instances in which the Department suspends or revokes a license or  
1220 certificate, the term of the suspension or revocation shall not exceed 5 years.  
1221  
1222 c) Death of Magazine Keeper  
1223 If a licensee or magazine keeper dies, an additional magazine keeper listed on the  
1224 storage certificate paperwork will become the magazine keeper. If no qualified  
1225 licensees or magazine keeper exists, the explosives shall be seized [225 ILCS  
1226 210] through its agents and/or local law enforcement for public safety purposes.  
1227  
1228 d) Bankruptcy  
1229 If a licensee or storage certificate holder enters bankruptcy, liquidation or  
1230 receivership or has a receiving order made against it, then any receiver, trustee in  
1231 bankruptcy, or liquidator shall be treated as being the licensee, or magazine  
1232 keeper, and must possess and/or storage explosive material in compliance with the  
1233 Act and this Part. If no qualified licensee or magazine keeper exists, the  
1234 explosives shall be seized through its agents and/or local law enforcement for  
1235 public safety purposes.  
1236  
1237 e) Bankruptcy of Licensee's Business  
1238 If a licensee's business is put in the hands of a receivership or a liquidator, the  
1239 license and/or storage responsibilities automatically transfer with the business.  
1240 The receiver or liquidator therefore becomes responsible for the licensing  
1241 requirements and/or storage requirements of the explosive materials while the  
1242 business and/or business assets is in their hands. If no qualified licensees or  
1243 magazine keepers exist, the explosives shall be seized through its agents and/or  
1244 local law enforcement for public safety purposes.  
1245

(Source: Amended at 48 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 200.925 Notice of Violation**

- a) An authorized representative of the Department shall issue a notice of violation if ~~the Department determines~~~~it is determined~~ that any person is in violation of the Act, this Part or any term or condition of any explosives license or storage certificate.
  
- b) A notice of violation issued under this Section shall be in writing, shall be signed by the authorized representative who issued it, and shall set forth with reasonable specificity:
  - 1) The nature of the violation;
  - 2) Statutory citations and/or administrative regulations violated;
  - 3) If any remedial action is required or possible, any interim steps;
  - 4) If remedial action is required, a reasonable time for abatement, including time for accomplishment of interim steps and for completion of all actions necessary to address the violation;
  - 5) A reasonable description of the statutory provisions to which the notice of violation applies.
  
- c) A notice of violation shall be served upon the person, any individual in the residence, or an agent of the person, if ~~any~~~~either~~ is present on site. If the person, or person's agent, is not present, the notice of violation shall be sent by certified mail to the person's address. The notice of violation shall be considered served when personally delivered or mailed.
  
- d) The person issued the notice of violation may provide the Department a written response to the violations within 14 days after the delivery or mailing of the notice. The written response may include a proposed alternative to the Department's specified remedial action, if any, needed to abate the violations. The Department shall consider any information submitted in determining the facts surrounding the violation and the amount of the penalty.
  - 1) The written response shall be submitted to the:

Illinois Department of Natural Resources  
Office of Mines and Minerals

1289 Explosives and Aggregate Division  
1290 One Natural Resources Way  
1291 Springfield IL 62702-1271  
1292

1293 2) The response must be postmarked or hand delivered by the 14<sup>th</sup> day after  
1294 delivery or mailing of the notice of violation.  
1295

1296 e) A notice of violation issued under this Section shall continue in effect until  
1297 modified, vacated or terminated by the Department. Termination shall not affect  
1298 the right of the Department to assess civil penalties for those violations in  
1299 accordance with Section 200.930(b)(2). A notice of violation can only be  
1300 terminated when all abatement action required by the Department has been  
1301 completed.  
1302

1303 f) A notice of violation may be modified, vacated or terminated in writing by either:  
1304

1305 1) An authorized representative of the Department;  
1306

1307 2) The issuance of a Decision by the Director, or designee, (see Section  
1308 200.930(d)); or  
1309

1310 3) The issuance of a final administrative decision by the Director in  
1311 accordance with Subpart K.  
1312

1313 (Source: Amended at 48 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)  
1314

1315 **Section 200.935 Process for Assessment of Fines**  
1316

1317 a) The Department may assess a penalty for each notice of violation. The civil  
1318 penalty shall be determined as provided in this Section, considering the person's  
1319 history of violations, plus the seriousness of the violation, plus the degree of  
1320 culpability. All fines imposed under the Act and this Section shall be in  
1321 accordance with this Part.  
1322

1323 1) The Person's History of Previous Violations. For purposes of determining  
1324 the history of violations, the Department will consider only those  
1325 violations that have a Department's final administrative decision or a final  
1326 judicial decision affirming the final administrative decision occurring  
1327 within a 10 year period.  
1328

1329 A) A violation shall not be counted if the notice or order is the subject  
1330 of pending administrative review by the Department under Subpart  
1331 K or if the time to request a review has not expired. Thereafter, it

- 1332 shall be counted for a 10 year period after the date of the  
1333 Department's final administrative decision or a final judicial  
1334 decision affirming the final administrative decision.  
1335
- 1336 B) No violation for which the notice has been vacated shall be  
1337 counted.  
1338
- 1339 C) History of Violations  
1340
- 1341 i) First violation of the rule, assess \$100.  
1342
- 1343 ii) Second violation of the same rule within a 10 year period  
1344 from the date of issuance of the first violation, assess \$250.  
1345
- 1346 iii) Third and subsequent violations of the same rule within a  
1347 10 year period from the date of issuance of the first  
1348 violation, assess \$500.  
1349
- 1350 2) The Seriousness of the Violation  
1351
- 1352 A) If the violation caused or could have been expected to cause injury  
1353 or damage to property, add \$0 to \$1,000.  
1354
- 1355 B) If the violation caused or could be expected to cause death,  
1356 personal injury requiring medical attention, or damage to property,  
1357 add \$1,000 to \$3,500.  
1358
- 1359 3) The Degree of Culpability of the Person  
1360
- 1361 A) If the violation occurred even though the person used reasonable  
1362 care, add \$0.  
1363
- 1364 B) If the violation occurred due to the person's failure to use  
1365 reasonable care, add \$0 to \$250.  
1366
- 1367 C) If the violation occurred as a result of the person's willful, reckless  
1368 or deliberate conduct, add \$250 to \$1,000.  
1369
- 1370 4) Administrative Requirements  
1371 In the case of a violation of an administrative requirement, ~~such as a~~  
1372 ~~requirement to keep records,~~ the Department will assess a civil penalty of  
1373 up to \$100.



1374  
1375  
1376  
1377  
1378  
1379  
1380  
1381  
1382  
1383  
1384  
1385  
1386  
1387  
1388  
1389  
1390  
1391  
1392  
1393  
1394  
1395  
1396  
1397  
1398  
1399  
1400  
1401  
1402  
1403  
1404  
1405  
1406  
1407  
1408  
1409  
1410  
1411  
1412  
1413  
1414  
1415

5) Explosive Material Lab Fee  
In the case of a violation/incident involving explosive materials that need to be identified by a laboratory for analysis for explosive materials verification, such as explosive materials in a manufactured explosive device or explosive materials in a containment such as a bowl or bag, the Department will assess a fine of \$4,600 to cover analysis/regulatory duty costs related to the incident.

b) When the Department issues a Notice of Violation for an incident or Violation with no determination of culpability, an administrative fine will not necessarily be assessed. The Department may impose any penalty that is authorized under law for any violation of the Act or this Part.

c) The Department will reduce and/or terminate violations whenever the Department deems necessary for assistance in the enforcement of the Act. [225 ILCS 210/2011(b)]

(Source: Amended at 48 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 200.945 Disposal of Explosives; Surrender or Seizure of License, Certificate or Explosives**

a) Within 10 days after the order of cancellation, suspension or revocation of a storage certificate by the Department, all explosive materials shall be removed from the magazine covered by the storage certificate and disposed of in accordance with the manufacturer's instructions or shall be relocated to an approved magazine with a valid storage certificate. Verification of the disposal or relocation shall be made to the Department within 24 hours after the action taken. Failure to do so may result in the seizure of the explosive materials.

b) Upon the suspension or revocation of any license, the holder shall immediately surrender the license to the Department. If the holder fails to do so, the Department has the right to seize the explosives license, temporary explosives license, or explosive materials through its agents or local law enforcement personnel. If summary action under Section 5006 of the Act is taken by the Department, the Department has the right to seize the explosives license, temporary explosives license, or explosive materials immediately upon issuance of its order.

c) Upon discovery of explosives that are illegally possessed, stored, transferred or a hazard to public safety, the Department has the right to seize the explosive

1416 [materials through its agents or local law enforcement personnel immediately for](#)  
1417 [public safety purposes.](#)

1418  
1419 (Source: Amended at 48 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)  
1420

1421 SUBPART K: PROCEDURES FOR ADMINISTRATIVE HEARINGS  
1422

1423 **Section 200.1070 Immediate Suspension Without Notice of Hearing**  
1424

- 1425 a) Whenever the Department finds, based upon reasonable belief from on-site  
1426 observation, record inspection by Department personnel, information received  
1427 from law enforcement personnel or information received from the public, that an  
1428 explosives licensee's, a temporary explosives licensee's or a storage certificate  
1429 holder's violation of the Act or this Part may cause death, serious injury or  
1430 property damage, the Department shall issue an order immediately suspending the  
1431 license or certificate. [This Section shall also apply to any individual who no](#)  
1432 [longer meets the licensing and/or storage requirements set forth by the Act. The](#)  
1433 [Department has the right to seize the explosives license, temporary explosives](#)  
1434 [license, or explosive materials through its agents or local law enforcement](#)  
1435 [personnel.](#)  
1436
- 1437 b) The Department shall serve its order of immediate suspension of a license or  
1438 certificate under this Section by personal service. The order shall also be sent by  
1439 certified mail to the licensee's or certificate holder's last known address.  
1440
- 1441 c) The Department shall serve an order of immediate suspension and a notice  
1442 containing the information set forth in Section 200.1010. The notice will also  
1443 inform the explosives license holder, the temporary explosives license holder or  
1444 the storage certificate holder that the failure to request a hearing in accordance  
1445 with Section 200.1005 of this Part shall result in the automatic issuance of a final  
1446 administrative decision revoking the license or certificate.  
1447
- 1448 d) Any occurrence of a violation of this Part constitutes grounds for the immediate  
1449 suspension of a license or certificate. A second or subsequent occurrence of a  
1450 violation requires the Department to immediately suspend a license or certificate.  
1451

1452 (Source: Amended at 48 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)  
1453

1454 **Section 200.APPENDIX A American Table of Distances for Storage of Explosive**  
 1455 **Materials**  
 1456

QUANTITY OF EXPLOSIVE MATERIALS		DISTANCES IN FEET							
		Inhabited Buildings		Public Highways Class A to D		Passenger Railways – Public Highways with Traffic Volume of more than 3,000 Vehicles/Day		Separation of Magazines	
		Pounds Over	Pounds Not Over	Barricaded	Unbarricaded	Barricaded	Unbarricaded	Barricaded	Unbarricaded
0.2	5	70	140	30	60	51	102	6	12
5	10	90	180	35	70	64	128	8	16
10	20	110	220	45	90	81	162	10	20
20	30	125	250	50	100	93	186	11	22
30	40	140	280	55	110	103	206	12	24
40	50	150	300	60	120	110	220	14	28
50	75	170	340	70	140	127	254	15	30
75	100	190	380	75	150	139	278	16	32
100	125	200	400	80	160	150	300	18	36
125	150	215	430	85	170	159	318	19	38
150	200	235	470	95	190	175	350	21	42
200	250	255	510	105	210	189	378	23	46
250	300	270	540	110	220	201	402	24	48
300	400	295	590	120	240	221	442	27	54
400	500	320	640	130	260	238	476	29	58
500	600	340	680	135	270	253	506	31	62
600	700	355	710	145	290	266	532	32	64
700	800	375	750	150	300	278	556	33	66
800	900	390	780	155	310	289	578	35	70
900	1,000	400	800	160	320	300	600	36	72
1,000	1,200	425	850	165	330	318	636	39	78
1,200	1,400	450	900	170	340	336	672	41	82
1,400	1,600	470	940	175	350	351	702	43	86
1,600	1,800	490	980	180	360	366	732	44	88
1,800	2,000	505	1,010	185	370	378	756	45	90
2,000	2,500	545	1,090	190	380	408	816	49	98
2,500	3,000	580	1,160	195	390	432	864	52	104
3,000	4,000	635	1,270	210	420	474	948	58	116
4,000	5,000	685	1,370	225	450	513	1,026	61	122
5,000	6,000	730	1,460	235	470	546	1,092	65	130
6,000	7,000	770	1,540	245	490	573	1,146	68	136
7,000	8,000	800	1,600	250	500	600	1,200	72	144
8,000	9,000	835	1,670	255	510	624	1,248	75	150
9,000	10,000	865	1,730	260	520	645	1,290	78	156
10,000	12,000	875	1,750	270	540	687	1,374	82	164
12,000	14,000	885	1,770	275	550	723	1,446	87	174
14,000	16,000	900	1,800	280	560	756	1,512	90	180
16,000	18,000	940	1,880	285	570	786	1,572	94	188
18,000	20,000	975	1,950	290	580	813	1,626	98	196
20,000	25,000	1,055	2,000	315	630	876	1,752	105	210
25,000	30,000	1,130	2,000	340	680	933	1,866	112	224
30,000	35,000	1,205	2,000	360	720	981	1,962	119	238
35,000	40,000	1,275	2,000	380	760	1,026	2,000	124	248
40,000	45,000	1,340	2,000	400	800	1,068	2,000	129	258
45,000	50,000	1,400	2,000	420	840	1,104	2,000	135	270

50,000	55,000	1,460	2,000	440	880	1,140	2,000	140	280
55,000	60,000	1,515	2,000	455	910	1,173	2,000	145	290
60,000	65,000	1,565	2,000	470	940	1,206	2,000	150	300
65,000	70,000	1,610	2,000	485	970	1,236	2,000	155	310
70,000	75,000	1,655	2,000	500	1,000	1,263	2,000	160	320
75,000	80,000	1,695	2,000	510	1,020	1,293	2,000	165	330
80,000	85,000	1,730	2,000	520	1,040	1,317	2,000	170	340
85,000	90,000	1,760	2,000	530	1,060	1,344	2,000	175	350
90,000	95,000	1,790	2,000	540	1,080	1,368	2,000	180	360
95,000	100,000	1,815	2,000	545	1,090	1,392	2,000	185	370
100,000	110,000	1,835	2,000	550	1,100	1,437	2,000	195	390
110,000	120,000	1,855	2,000	555	1,110	1,479	2,000	205	410
120,000	130,000	1,875	2,000	560	1,120	1,521	2,000	215	430
130,000	140,000	1,890	2,000	565	1,130	1,557	2,000	225	450
140,000	150,000	1,900	2,000	570	1,140	1,593	2,000	235	470
150,000	160,000	1,935	2,000	580	1,160	1,629	2,000	245	490
160,000	170,000	1,965	2,000	590	1,180	1,662	2,000	255	510
170,000	180,000	1,990	2,000	600	1,200	1,695	2,000	265	530
180,000	190,000	2,010	2,010	605	1,210	1,725	2,000	275	550
190,000	200,000	2,030	2,030	610	1,220	1,755	2,000	285	570
200,000	210,000	2,055	2,055	620	1,240	1,782	2,000	295	590
210,000	230,000	2,100	2,100	635	1,270	1,836	2,000	315	630
230,000	250,000	2,155	2,155	650	1,300	1,890	2,000	335	670
250,000	275,000	2,215	2,215	670	1,340	1,950	2,000	360	720
275,000	300,000	2,275	2,275	690	1,380	2,000	2,000	385	770

1458  
 1459  
 1460  
 1461  
 1462  
 1463  
 1464  
 1465  
 1466  
 1467  
 1468  
 1469  
 1470  
 1471  
 1472  
 1473  
 1474  
 1475  
 1476  
 1477  
 1478  
 1479  
 1480  
 1481  
 1482  
 1483

EXPLANATORY NOTES ESSENTIAL TO THE APPLICATION  
 OF THE AMERICAN TABLE OF DISTANCES FOR  
 STORAGE OF EXPLOSIVE MATERIALS

NOTE 1 – "Explosive materials" means explosives, blasting agents and detonators.

NOTE 2 – "Explosives" means any chemical compound, mixture or device, the primary or common purpose of which is to function by explosion. A list of explosives determined to be within the coverage of 18 U.S.C. Chapter 40, Importation, Manufacturer, Distribution and Storage of Explosive Materials is issued at least annually by the Director of the Bureau of Alcohol, Tobacco, Firearms and Explosives of the U.S. Department of Justice. For quantity and distance purposes, detonating cord of 50 grains per foot should be calculated as equivalent to 8 lbs. of high explosives per 1,000 feet. Heavier or lighter core loads should be rated proportionately.

NOTE 3 – "Blasting agents" means any material or mixture consisting of fuel and oxidizer, intended for blasting, not otherwise defined as an explosive. However, the finished product, as mixed for use or shipment, cannot be detonated by means of a No. 8 test blasting cap when unconfined.

NOTE 4 – "Detonator" means any device containing any initiating or primary explosive that is used for initiating detonation. A detonator may not contain more than 10 grams of total explosives by weight, excluding ignition or delay charges. The term includes, but is not limited

1484 to, electric blasting caps of instantaneous and delay types, blasting caps for use with safety fuses,  
1485 detonating cord delay connectors, and nonelectric instantaneous and delay blasting caps that use  
1486 detonating cord, shock tube, or any other replacement for electric leg wires. All types of  
1487 detonators in strengths through No. 8 cap should be rated at 1 $\frac{2}{3}$  lbs. of explosives per 1,000 caps.  
1488 For strengths higher than No. 8 cap, consult the manufacturer.

1489

1490 NOTE 5 – "Magazine" means any building, structure or container, other than an  
1491 explosives manufacturing building, approved for the storage of explosive materials.

1492

1493 NOTE 6 – "Natural Barricade" means natural features of the ground, such as hills, or  
1494 timber of sufficient density that the surrounding exposures that require protection cannot be seen  
1495 from the magazine when the trees are bare of leaves.

1496

1497 NOTE 7 – "Artificial Barricade" means an artificial mound or revetted wall of earth of a  
1498 minimum thickness of ~~3~~three feet at the top of the mound or wall, or a mound or revetted wall of  
1499 other material offering equivalent protection. Artificial barricades that are vegetated shall be of  
1500 sufficiency slope to enable mowing..

1501

1502 NOTE 8 – "Barricaded" means the effective screening of a building containing explosive  
1503 materials from the magazine or other building, railway or highway by a natural or an artificial  
1504 barrier. A straight line from the top of any sidewall of the building containing explosive  
1505 materials to the eave line of any magazine or other building or to a point 12 feet above the center  
1506 of a railway or highway shall pass through the barrier.

1507

1508 NOTE 9 – "Inhabited Building" means a building regularly occupied in whole or part as a  
1509 habitation for human beings, or any church, schoolhouse, railroad station, store or other structure  
1510 where people are accustomed to assemble, except any building or structure occupied in  
1511 connection with the manufacture, transportation, storage or use of explosive materials.

1512

1513 NOTE 10 – "Railway" means any steam, electric or other railroad or railway that carries  
1514 passengers for hire.

1515

1516 NOTE 11 – "Highway" means any public street, public alley or public road.

1517

1518 NOTE 12 – When two or more storage magazines are located on the same property, each  
1519 magazine must comply with the minimum distances specified from inhabited buildings, railways  
1520 and highways and, in addition, they should be separated from each other by not less than the  
1521 distances shown for "Separation of Magazines," except that the quantity of explosive materials  
1522 contained in detonator magazines shall govern in regard to the spacing of those detonator  
1523 magazines from magazines containing other explosive materials. If any two or more magazines  
1524 are separated from each other by less than the specified "Separation of Magazines" distances,  
1525 then those magazines, as a group, must be considered as one magazine, and the total quantity of  
1526 explosive materials stored in such group must be treated as if stored in a single magazine located

1527 on the site of any magazine of the group, and must comply with the minimum of distances  
1528 specified from other magazines, inhabited buildings, railways and highways.

1529

1530 NOTE 13 – Storage in excess of 300,000 lbs. of explosive materials in one magazine is  
1531 generally not required for commercial enterprises.

1532

1533 NOTE 14 – This Table applies only to the manufacture and permanent storage of  
1534 commercial explosive materials. It is not applicable to transportation of explosives or any  
1535 handling or temporary storage necessary or incident to the transportation, handling or storage. It  
1536 is not intended to apply to bombs, projectiles or other heavily encased explosives.

1537

1538 NOTE 15 – When a manufacturing building on an explosive materials plant site is  
1539 designed to contain explosive materials, the building shall be located away from inhabited  
1540 buildings, public highways and passenger railways in accordance with the American Table of  
1541 Distances based on the maximum quantity of explosive materials permitted to be in the building  
1542 at one time.

1543

1544 (NOTE: The American Table of Distances for Storage of Explosive Materials and  
1545 accompanying Explanatory Notes are copyrighted materials reproduced with the permission of  
1546 the Institute of Makers of Explosives. The notes contained in this Appendix are meant to  
1547 supplement, and not supersede, the regulations contained in this Part. When wording differs  
1548 between the regulations and these explanatory notes, the regulations shall govern for  
1549 enforcement purposes.)

1550

1551 (Source: Amended at 48 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

1552

1553 **Section 200.APPENDIX C Table of Separation Distances of Ammonium Nitrate and**  
 1554 **Blasting Agents From Explosives or Blasting Agents<sup>1</sup>**  
 1555  
 1556

Donor weight		Minimum separation distance of receptor when barricaded <sup>2</sup> (ft.)		Minimum thickness of artificial barricades <sup>5</sup> (in.)
Pounds over	Pounds not over	Ammonium nitrate <sup>3</sup>	Blasting agent <sup>4</sup>	
0	100	3	11	12
100	300	4	14	12
300	600	5	18	12
600	1,000	6	22	12
1,000	1,600	7	25	12
1,600	2,000	8	29	12
2,000	3,000	9	32	15
3,000	4,000	10	36	15
4,000	6,000	11	40	15
6,000	8,000	12	43	20
8,000	10,000	13	47	20
10,000	12,000	14	50	20
12,000	16,000	15	54	25
16,000	20,000	16	58	25
20,000	25,000	18	65	25
25,000	30,000	19	68	30
30,000	35,000	20	72	30
35,000	40,000	21	76	30
40,000	45,000	22	79	35
45,000	50,000	23	83	35
50,000	55,000	24	86	35
55,000	60,000	25	90	35

60,000	70,000	26	94	40
70,000	80,000	28	101	40
80,000	90,000	30	108	40
90,000	100,000	32	115	40
100,000	120,000	34	122	50
120,000	140,000	37	133	50
140,000	160,000	40	144	50
160,000	180,000	44	158	50
180,000	200,000	48	173	50
200,000	220,000	52	187	60
220,000	250,000	56	202	60
250,000	275,000	60	216	60
275,000	300,000	64	230	60

1557  
 1558  
 1559  
 1560  
 1561  
 1562  
 1563  
 1564  
 1565  
 1566  
 1567  
 1568  
 1569  
 1570  
 1571  
 1572  
 1573  
 1574  
 1575  
 1576  
 1577  
 1578

NOTES TO TABLE OF RECOMMENDED SEPARATION DISTANCES  
 OF AMMONIUM NITRATE AND BLASTING AGENTS  
 FROM EXPLOSIVES OR BLASTING AGENTS

NOTE 1 – Recommended separation distances to prevent explosion of ammonium nitrate and ammonium nitrate-based blasting agents by propagation from nearby stores of high explosives or blasting agents referred to in the Table as the "donor". Ammonium nitrate, by itself, is not considered to be a donor when applying this Table. Ammonium nitrate, ammonium nitrate-fuel oil or combinations thereof are acceptors. If stores of ammonium nitrate are located within the sympathetic detonation distance of explosives or blasting agents, one-half the mass of the ammonium nitrate is to be included in the mass of the donor.

NOTE 2 – When the ammonium nitrate and/or blasting agent is not barricaded, the distances shown in the Table shall be multiplied by six. These distances allow for the possibility of high velocity metal fragments from mixers, hoppers, truck bodies, sheet metal structures, metal containers, and the like that may enclose the donor. When storage is in bullet-resistant magazines recommended for explosives or when the storage is protected by a bullet-resistant wall, distances and barricade thicknesses in excess of those prescribed in the American Table of Distances (Appendix A) are not required.



1579 NOTE 3 – The distances in the Table apply to ammonium nitrate that passes the  
1580 insensitivity test prescribed in the definition of ammonium nitrate fertilizer promulgated by the  
1581 Fertilizer Institute and ammonium nitrate failing to pass the test shall be stored at separation  
1582 distances determined by competent persons and approved by the authority having jurisdiction.  
1583

1584 NOTE 4 – These distances apply to blasting agents that pass the insensitivity test  
1585 prescribed in regulations of USDOT and ATF.  
1586

1587 NOTE 5 – Earth, or sand dikes, or enclosures filled with the prescribed minimum  
1588 thickness of earth or sand are acceptable artificial barricades. Natural barricades, such as hills or  
1589 timber of sufficient density that the surrounding exposures that require protection cannot be seen  
1590 from the donor when the trees are bare of leaves, are also acceptable.  
1591

1592 NOTE 6 – For determining the distances to be maintained from inhabited buildings,  
1593 passenger railways and public highways, use the American Table of Distances for Storage of  
1594 Explosive Materials (Appendix A).  
1595

1596 (Source: Amended at 48 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)