



MISSOURI BLASTING SAFETY ACT FAQs

The “Missouri Blasting Safety Act” was passed into law by 94th Missouri General Assembly and became law on August 28, 2007. The purpose of the act is to foster the safe use of explosives in mining and construction by establishing and enforcing consistent statewide industry standards for licensing of blasters and users of explosives. The act is not to be construed to amend, supersede, or conflict with any requirement of federal law or regulation governing the manufacturing, transporting, or storage of explosives.

Who does the Missouri Blasting Safety Act regulate?

The Act regulates users of explosives, which are defined as “any individual, proprietorship, partnership, firm, corporation, company, or joint venture that is required to hold authority to receive or use explosives under statutes or regulations administered by the U.S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives and who employs licensed blasters.” This does not include universities or trade schools for instruction or research; forms of explosives used in medicines; training or emergency operations of any federal, state, or local government, provided they are acting in their official capacity; use by the military; the use of pyrotechnics; the use of small arms ammunition and components thereof; use within an industrial furnace; the use of agricultural fertilizers when used for agricultural or horticultural purposes; explosives used for lawful demolition of structures; use by rural electric cooperatives; and the discharging of historic firearms or cannons. The Act also regulates blasters defined as persons “qualified to be in charge of and responsible for the loading and firing of an explosive or explosive material.”

Who enforces the requirements of the Missouri Blasting Safety Act?

The Missouri Division of Fire Safety is charged with the enforcement of the Act, including the testing of blasters and to investigate violations of the Act. The State Blasting Safety Board, appointed by the Governor, has the duty to advise the state fire marshal in the development of application and registration forms, training, examinations, and setting fees for the filing of required applications, registrations, and reports; approve or disapprove any examination for licensing of blasters; hold hearings upon appeals and notices of violation; approve any rule proposed by the Division of Fire Safety for the administration; and advise or assist the Division in any other matter regarding administration or enforcement.

What are the requirements of the Act for Users of Explosives?

Any individual, proprietorship, partnership, firm, corporation, or company which uses explosives in Missouri, shall register with the Division prior to using explosives in Missouri. The initial registration shall state the name of the person, address, telephone number, facsimile number, e-mail address, and name of the principal individual having responsibility for supervision of the use of explosives. A fee of \$200 shall be submitted with the initial registration.

Any Explosives user required to register shall file an annual report with the Division for the preceding calendar year by January 31 of each year. The initial annual report shall only include that portion of the preceding calendar year after the date the user became subject to the requirement to register. The report shall include:

- (1) Any change or addition to the registration information required
- (2) The name and address of the distributors from which explosives were purchased
- (3) The total number of pounds of explosives purchased for use in Missouri and the total number of pounds actually used in the state during the reporting period

The explosives users shall submit with the annual report a fee of \$500 plus \$1.15 per ton of explosives used in Missouri.



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What are the requirements of the Act for Users of Explosives? (*continued*)

Any user of explosives who fails to register or report or who knowingly reports false information in the reports required shall be subject to a civil penalty not exceeding \$2,000 for the first offense or a penalty not exceeding \$5,000 for a second or subsequent offense. Fees for use of explosives not reported shall also be paid.

It shall be a violation of the Act for any explosives user to:

- (1) Engage in blasting other than by a licensed blaster or an individual working under the direct supervision of a licensed blaster
- (2) Fail to calculate the scaled distance, conduct monitoring of vibration and noise levels, and conduct record keeping as required
- (3) Fail to carry a minimum of one million dollars in commercial general liability insurance

Any explosives users within Missouri shall:

- (1) Notify the Division of Fire Safety in writing or by telephone at least two business days before using explosives at a site where blasting has not been previously conducted. If blasting will be conducted at an ongoing project, the user shall only be required to make one notice to the Division before the first use of explosives
- (2) Notify the appropriate representative of the municipality where the blasting is to occur in writing or by telephone at least two business days in advance of blasting at that location
- (3) Notify the owner or occupant of any residence or business within the jurisdiction of a municipality located within a scaled distance of fifty-five from the site of blasting prior to the start of blasting at any new location

What are the requirements of the Act for Blasters?

An explosives user shall not be required to hold a blaster's license, but all blasting on behalf of a user of explosives shall be performed only by licensed blasters. No individual shall load or fire explosives or direct any individual to load or fire explosives unless that individual has a valid blaster's license or is under the direct supervision and responsibility of an individual having a valid blaster's license.

Blasters must submit an appropriate application to the Division, including all required documentation. A license may be granted to applicants who within the last three years have held a valid license or certification from another source if all of the qualifications for obtaining the license meet or exceed the provisions of this section. A license may be granted to an individual employed as a blaster on or before December 31, 2000, and who has accumulated 1,000 hours of training or education pertaining to blasting and experience working for a specific user of explosives within two years immediately prior to applying for a license.

The Division of Fire Safety shall approve and administer standard examinations for a qualifying individual to obtain a blaster's license. No individual shall be allowed to take an examination for obtaining a blaster's license unless that individual has completed an approved training course no longer than two years prior to taking the examination. The Division shall approve training courses for blasters.

A blaster's license shall expire three years from the date of issuance. To qualify for renewal, an individual must provide documentation of completing eight hours of approved explosives-related training, at least half of which shall have been completed within the year prior to renewal.

For more information, contact the Missouri Division of Fire Safety Investigations and Explosives Enforcement Unit at (573)751-2930.