




COLORADO

Department of
Labor and Employment

Division of Oil and Public Safety

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811 Commission



We Protect the Public and the Environment

Division of Oil and Public Safety (OPS)

The Division of Oil and Public Safety regulates those who own or operate amusement rides and devices, commercial boilers, conveyances (elevators and escalators) and retail fueling facilities and those who are permitted to use high explosives.

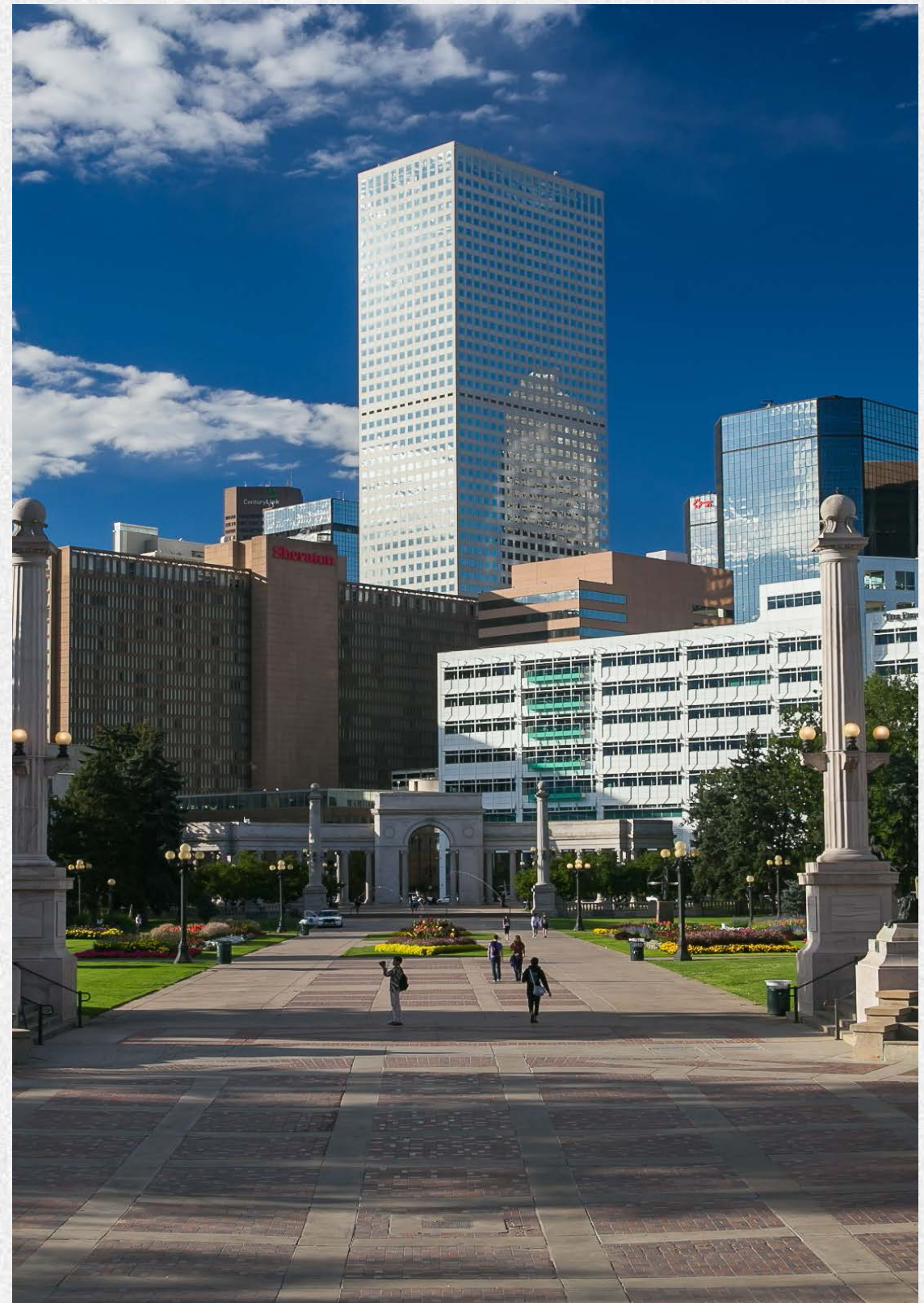
What Does OPS Permit?

When Is an Exam Required?

Who Needs to Know That I
Plan to Blast?

Regulations Changes and
Why?

Explosives Program Outreach
Colorado Division of Oil and
Public Safety



What Does OPS Permit?

*Colorado Explosives Program
Permitting Process*



Type I Explosives Permit

- Individuals working for a company or themselves
 - Classification based on use
- Minimum 1 year experience - exception for Possessor
- Initial permit requires exam
- Requires an associated Type II
- Valid for up to 3 years
- Renew with training or exam





Type I Explosives Permit

This permit is issued under the provisions of Title 9, Article 7-105, C.R.S. 1986, as amended. The permit issued to the individual identified below is non-transferable and shall be under the control of the permit holder at all times.

Issued To: BUGS B BUNNY

Permit #: 1-998-10240

Address: 3803 LOONEY TUNES LN
LOS ANGELES, CA 80001

Permit Issue Date: 04/28/2016

Permit Expiration Date: 04/28/2019

CLASSIFICATION(S) OF PERMIT

DEMOLITION; MANUFACTURER; UNEXPLODED ORDNANCE DISPOSAL

The permit holder shall immediately notify OPS if they are adjudicated to be mentally unstable, mentally ill or insane, or to be incompetent due to any mental disability or disease, or if they are convicted of any crime: punishable by imprisonment for a term exceeding 1 year; involving the illegal distribution of marijuana, any depressant or stimulant drug, or narcotic drug, bomb threats, perjury, fraud, or false swearing, including making a false affidavit or statement under oath to OPS in an application or report; related to the use, manufacturing, sale, transportation, possession, or disposal of explosives; or involving domestic violence.

The permit holder shall keep the permit on file as evidence of compliance. Report inaccuracies to the Explosives Program at (303) 318-8525.

This Explosives Permit issued by:
Colorado Department of Labor and Employment
Division of Oil and Public Safety
Explosives Program
633 17th Street, Suite 500
Denver, CO 80202-3610

Phone:
(303) 318-8525
Fax:
(303) 318-8529
Website:
www.colorado.gov/ops



Bugs B Bunny
3803 Looney Tunes Ln
Los Angeles, CA 80001

EXPIRES: 04/28/2019

State of Colorado
Department of Labor and Employment

TYPE I EXPLOSIVE PERMIT

1-998-10240

★Bugs B Bunny★

is permitted by the Division of Oil and Public Safety to
possess and control explosives for the following purposes.

Demolition

Manufacturer

Unexploded Ordnance Disposal

ISSUED: 04/28/2016



This permit is issued under the provisions of Title 9, Article 7-105 CRS 1986, as amended. The permit is issued to person identified, is non-transferable, shall be under the control of the permit holder at all times and is limited to the possession and control of explosives in conjunction with employment or association with the following entity or entities:

A Company That Makes Everything (ACME)

321 Fire in the Hole Way
Los Angeles, CO 80001
(719) 555-1212

Signature of Director:

Signature of Permittee:

Type II Explosives Permit

- Companies or individuals operating their own businesses
- Classification based on use
- Requires at least 1 Responsible Person with an active Type I permit
- Valid for up to 3 years
- Renew with application at least 30 days prior to permit expiration





Type II Explosives Permit

This permit is issued under the provisions of Title 9, Article 7-105, C.R.S. 1986, as amended. The permit issued to the individual identified below is non-transferable and shall be under the control of the permit holder at all times.

Issued To: A COMPANY THAT MAKES EVERYTHING
(ACME)

Permit #: 2-998-10241

Address: 321 FIRE IN THE HOLE WAY
LOS ANGELES, CO 80001

Permit Issue Date: 04/28/2016

Permit Expiration Date: 04/28/2019

CLASSIFICATION(S) OF PERMIT

DEMOLITION; MANUFACTURER; UNEXPLODED ORDNANCE DISPOSAL

The owner shall keep the permit on file as evidence of compliance. It is recommended that a copy be posted at each operating location. Report inaccuracies to the Explosives Program at (303) 318-8525.

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Type III Explosives Permit

- Companies or individuals storing explosives in Colorado
- Requires an associated Type II
- Valid for up to 3 years
- Requires site and magazine inspections every 3 years
- Renew with application at least 30 days prior to permit expiration



Question

How often is a permit holder required to update their explosives storage inventory?



**Any time explosives are received,
removed, or returned to the magazine.**



Question

How often are Colorado explosives permit holders required to conduct a physical count of explosive inventory?



Every 30 days.





Type III Explosives Permit

This permit is issued under the provisions of Title 9, Article 7-105, C.R.S. 1986, as amended. The permit issued to the individual identified below is non-transferable and shall be under the control of the permit holder at all times.

Issued To:	A COMPANY THAT MAKES EVERYTHING (ACME)	Permit #:	3-998-10241
Address:	321 FIRE IN THE HOLE WAY LOS ANGELES, CO 80001	Permit Issue Date:	04/28/2016
		Permit Expiration Date:	04/28/2019

CLASSIFICATION OF PERMIT

Storage

The permit holder shall keep the permit on file as evidence of compliance. It is recommended that a copy be posted at each operating location. Report inaccuracies to the Explosives Program at (303) 318-8525.

This Explosives Permit issued by:
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Division of Oil and Public Safety
Explosives Program
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Phone:
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Fax:
(303) 318-8529
Website:
www.colorado.gov/ops

Application Process

- Download from website and complete
- Submit with appropriate fees
- Processing timelines
 - Type I :
 - 30 days for new applicants
 - 14 days for renewing applicants
 - Type II: 14 days
 - Type III: Generally 3-4 weeks



Type I Application Keys

- If hand-written, PRINT clearly
- Provide a frequently-checked email address
- Identification (i.e., driver's license copies)
- Non-U.S. Citizens: Permanent Residency card or BATFE letter of clearance

15. Notarized Certification <i>Complete this section in the presence of a notary public. Any alterations or mistakes that occur in this section of the application must be crossed out, rewritten without error, and initialed by both the applicant and the notary.</i>					
Applicant Certification					
Under the penalties of perjury and the penalties imposed by the State of Colorado, Division of Oil and Public Safety, I declare that I have completed this application and documents submitted in support thereof, and that they are true and correct to the best of my knowledge. I further certify that I am both familiar and in compliance with all applicable laws, rules and regulations pertaining to explosive materials, including use, handling, storage and transportation for the location in which I intend to do business. I authorize the Colorado Division of Oil and Public Safety or their designee to conduct an investigation, including but not limited to, a check of my criminal history, in order to determine my qualifications for an explosive permit. I understand that I am responsible for notifying the Division regarding any charges or convictions concerning a crime punishable by imprisonment exceeding one year at any time.					
<input type="checkbox"/> I certify that I am 21 years of age or older.					
Applicant's Legal Signature:				Date:	
Applicant's Printed Legal Name:				Job Title:	
Applicant's Address:	Street:				
	City:		County:		State:
Notary Public Certification					
Subscribed and affirmed before me in the county of _____ in the state of _____ _____ this _____ day of _____, 20_____.					
Notary Printed Name:					
Notary Signature:					
My commission expires:					

Type I Application Keys

- Record work experience accurately – Audits possible
- Matching signature dates on notary form
- Sign fingerprint card
- Include training documents with renewal applications
- Time limit for renewals with training documentation: Up to 60 days after expiration of Type I Permit

15. Notarized Certification <i>Complete this section in the presence of a notary public. Any alterations or mistakes that occur in this section of the application must be crossed out, rewritten without error, and initialed by both the applicant and the notary.</i>					
Applicant Certification					
Under the penalties of perjury and the penalties imposed by the State of Colorado, Division of Oil and Public Safety, I declare that I have completed this application and documents submitted in support thereof, and that they are true and correct to the best of my knowledge. I further certify that I am both familiar and in compliance with all applicable laws, rules and regulations pertaining to explosive materials, including use, handling, storage and transportation for the location in which I intend to do business. I authorize the Colorado Division of Oil and Public Safety or their designee to conduct an investigation, including but not limited to, a check of my criminal history, in order to determine my qualifications for an explosive permit. I understand that I am responsible for notifying the Division regarding any charges or convictions concerning a crime punishable by imprisonment exceeding one year at any time.					
<input type="checkbox"/> I certify that I am 21 years of age or older.					
Applicant's Legal Signature:				Date:	
Applicant's Printed Legal Name:				Job Title:	
Applicant's Address:	Street:				
	City:		County:		State:
Notary Public Certification					
Subscribed and affirmed before me in the county of _____ in the state of _____ _____ this _____ day of _____, 20_____.					
Notary Printed Name:					
Notary Signature:					
My commission expires:					

Question

How much experience is required to obtain a type I permit for the “Possessor” classification?



**Absolutely no experience is required for
this classification.**



Common Type I Application Issues

- Abandonment Process
- No hazmat endorsement
- Felonies and some misdemeanors are disqualifiers
- “Punishable By” vs “Sentenced To”
- Disposition Requests
 - Respond promptly
 - Provide exact requested information
- Hearing process for Relief of Disability
 - Must have BATFE clearance letter



Type II Application Keys

- If hand-written, PRINT clearly
- *Manufacturer* or *Dealer* classification - BATFE license
- *Transportation* classification - PUC permit
 - Important dates for PUC Permit: Valid for 1 year
- List all employees with active Type I in Section 8
- *Responsible Party* affirmation signed
- Matching signature dates on notary form



Type III Application Keys

- If hand-written, PRINT clearly
- Complete address for storage sites
- GPS coordinates for sites without verifiable address
- Recent notification of local authorities
- *Responsible Party* affirmation signed
- Matching signature dates on notary form



Question

What is considered “temporary storage” according to Colorado Explosives Regulations?



**A storage time period not exceeding
90 days.**



Temporary Storage

- Period not exceeding 90 days
- Notification Requirements
 - Division; fire district, police and/or sheriff's offices – proof of notification
 - Location, type and supplier of magazines, type/ quantity of explosives stored
- Authorization granted on an individual basis
- ATD Requirements



Permit Notifications from OPS

- Approved
- Denied
- Deactivated
- Renewal
- Expired
- PUC Expired



Incident Notifications to OPS

- Report incidents involving explosives **immediately**
 - Accidents involving explosions
 - Fires resulting from explosions
 - Misuse of explosives leading to:
 - Loss of life
 - Personal injury
 - Property damage
 - Theft or loss must be reported no later than 24 hours to local law enforcement, OPS, and ATF



Permit Notifications to OPS

Permit Changes:

- Name or contact information
- Type II or III Responsible Person
- New, relocated or temporary storage sites
- Type I added or terminated
- Legal status changes (citizenship, arrests, etc.)



Question

How soon must a permit holder notify OPS regarding a fly rock incident?



As soon as possible!



BREAK



Why Is an Exam Required?

Type I Explosives Permit Exams



Why is an Exam Required?

- Regulatory requirement
- Exams
 - Evaluate knowledge, skills and experience
 - Enhance learning
 - Aid in compliance



Who is Required to Take the Exam?

- First-time Type I applicants
- Renewing applicants:
 - Permit expired for 60 days
 - Did not complete 16 hours approved training since current permit issue date
- Anyone changing or adding permit classifications



Are There Different Exams?

Avalanche Mitigation Avalanche Mitigation operations	CAPCO Low explosive propellant-based operations
Construction/Quarry Construction companies, rock blasters, quarry workers, dealer/manufacturer doing shot service	Construction Limited Binary explosives or blasting agents only, rural electric associations
General Safety Research & development, industrial cleaning, UXO, EOD, law enforcement, ejection seats	Geophysical Geophysical, seismic or drilling exploration
Well Perforation Oil and gas well perforation	Storage/Purchase Transportation, ordering, receiving, stocking inventory; Possessor classification



What's on the Exam?

- Questions specific to classification requested
- Exams questions types:
 - True/False
 - Multiple Choice
 - Fill-in-the-Blank
 - Short Answer
 - Computation



Where Do the Questions Come From?

- Colorado Explosives Regulations
- Professional experience
- Industry methods



When and Where Can I Take the Exam?

- Visit <https://www.colorado.gov/ops> while completing your application
- Check the OPS Calendar for upcoming exam dates
- Wait for your Type I Explosives Permit Exam Invitation
- Contact us to RSVP for a date and location
- Respond to Type I Permit Exam Meeting Request email



Question

“I’ve never held a type I permit in Colorado, but I hold an explosives permit in several other states, do I still need to take the exam?”



**Reciprocity is not
recognized by our program.**

**All new applicants are
required to complete the
exam requirement.**



Who Needs to Know That I Plan to Blast?

*Notifications Required for
Blasting Operations*



Who Needs to Know That I Plan to Blast?

- Homeowners
- Local government agencies
 - Fire/Rescue District
 - Police Department or Sheriff's Office
 - Building Department



How Can I Inform Them?

- Home and property owners:
 - Flyers or letters
 - Posted in visible location
- Local government, fire and law enforcement agencies:
 - Email
 - Fax



What Details Must I Maintain From Each Blast?

- Date and Time
- Blaster Signature and Type I Permit Number
- Location
- Total Amount of Explosives Blasted
- Weather Conditions
- Diagram (if applicable)



- All new magazines
- Notification from OPS
- Inventory reconciliation
- Compliance with ATD
- Fire prevention, magazine construction, flooring, ventilation/lighting, static protection
- Storage: Type, safety, etc.
- Security

Regulations Changes and Why?

Effective May 1, 2019



Effective May 1, 2019

**Revocation, suspension;
denial language edited for
accuracy.**



Effective December 1, 2018

- 1-5 Definitions added
- 2-1 USFS added to insurance requirement for notification
- 3-5-1 Possession endorsement added
 - Alignment with ATF process, response to stakeholder feedback and industry
- 3-6 Copy of front and reverse side of license added
- 3-9 Notify OPS if currently charged of crime



Effective December 1, 2018

- 4-1 Inventory records may be housed in multiple locations
- 6-9 Misfire language corrected for grammar and intent
- 6-10 Z Curve added for vibration limits
- 7-1 Avalanche Control to Avalanche Mitigation



Effective December 1, 2018

- 7-3 Deleted make-up room American Table of Distance requirement
- 7-5 Increase weight of explosives on tramways to 50lbs
- 11 Enforcement language clarified for consistency



Enforcement Explosives



Enforcement Process



QUESTION

**How many Enforcement Orders has OPS issued
for the Explosives Program since 2010?**



NONE!



So, You received a Notice of Violation...

- May be due to:
 - Not having/not renewing your Permit(s)
 - Not providing adequate notice prior to blasting
 - Inadequate blast coverage
- Read the Notice of Violation letter and call the OPS team member listed on the letter
- Submit the required information



Notice of Violation

The Violation box explains each of the violations and how to resolve them.



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Division of Oil and Public Safety - Explosives Program
633 17th Street, Suite 500
Denver, CO 80202-3610
303-318-8525 | www.colorado.gov/ops

NOTICE OF VIOLATION

February 11, 2019

Permit #: 2-123-45678
Phone#: (303) 222-1234

ABC Excavation, LLC
John Smith
123 N Main St
Denver, CO 80202

Sent Via:

<input checked="" type="checkbox"/>	USPS Standard Post
<input type="checkbox"/>	Fax:
<input checked="" type="checkbox"/>	Email: john.smith@yahoo.com

Re: Violations of Colorado Explosives Regulation(s) at 123 N Main Street, Denver, CO, 80202.

Dear Mr. Smith:

The Explosives Regulations, 7 C.C.R. 1101-9, are administered by the Colorado Division of Oil and Public Safety - Explosives Program (OPS). Our program was notified in August 2018 regarding ABC Excavation's blasting operations. The company did not possess a valid Type II Permit at that time.

OPS has conducted an inspection of the above referenced incident, and based on our preliminary review of information, has determined that you are in violation of the Colorado Explosives Regulations, as detailed below.

Violation #	1	1 Count
Violation Date:	August 2018	
Violation:	Company conducting blasting operations without a valid Type II permit.	
Regulatory Requirement:	7 CCR 1101-9 Article 3, Section 3-5-2 (A) (A) Corporations, companies, partnerships, firms, individuals operating a business, associations, or state or local government agencies involved in the use, purchase, sale, manufacture, transportation, or disposal of explosives shall have a valid Type II Explosives Permit.	
Required Action:	Obtain a Type II Permit from OPS, and submit a check or money order for fines assessed; or you may contact OPS to schedule an informal conference with the Division Director.	
Fine Amount:	\$1,000.00	

As an alternative to formal enforcement proceedings, OPS is providing you with this offer to complete the required actions listed above and pay the total fine amount. You are required to complete the Required Action for each violation and submit any required documents and/or fines, within 30 days of the date of this letter (March 9, 2019).

If you are not in agreement with the violations listed above, per C.R.S. 58-20-104(d), within ten (10) working days after delivery of the Notice of Violation, you may request in writing an informal

Compliance Trends – Colorado Explosives

- No Enforcement Orders have been issued since enforcement program has been in place
- All NOVs have been resolved without going any further
- Compliance continues to increase!



Thank you



Questions?





KEYS TO COMPLIANCE
COLORADO DIVISION OF OIL & PUBLIC SAFETY