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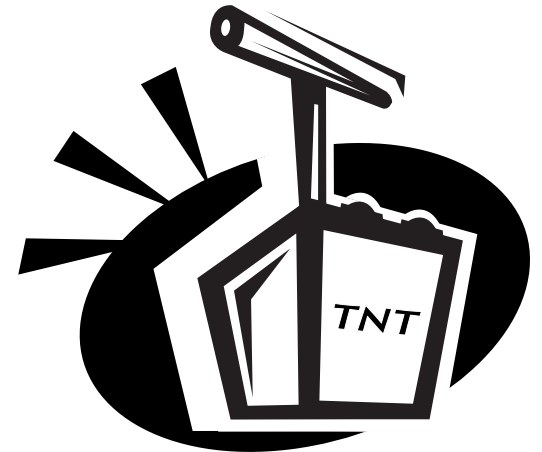
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# Public Safety: Explosives Accountability

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## Explosives Accountability

On September 5, 2002, Massachusetts General Law Chapter 148 was amended to tighten the requirements for the possession and/or use of explosives in the State to increase public safety.

### M.G.L. Chapter 148, §12

No person shall sell, transfer or exchange explosive materials within the Commonwealth to any other person unless: (1) said transferee possesses the proper permit or certificate to possess, receive or store explosive materials; and (2) said transferee maintains, at the place of delivery, an approved, permitted, explosive storage magazine or bunker. Any information, date or records maintained by the Marshal or his agents or designees, in any form, relative to the amount, location or nature of explosive material within the commonwealth, shall not be considered a public record, as defined [c. 4, §7(26)]



**...Any person who violates this section shall be punished by imprisonment in a house of correction for not more than 2½ years or by a fine of not more than \$5,000, or by both such fine and imprisonment.**



### 527 CMR 1.00

527 CMR 1.00 outlines requirements for possession, transportation, storage and use of explosives as granted by the State Fire Marshal, in addition to regulations from the federal Bureau of Alcohol, Tobacco, Firearms & Explosives (BATF).

Requires annual inspections of all explosive magazines by the State Fire Marshal's Office. Magazines are inspected for compliance with all applicable statutory and regulatory requirements that the State Fire Marshal is charged with enforcing. Particular emphasis is placed on security and inventory control.

All certificates, licenses, and storage permits require criminal background checks.

### Explosive User Certificate (EUC)

allows a company to conduct business in the Commonwealth (own and possess).

Certificate of Competency allows a blaster to conduct blasting operations in Commonwealth.

Storage Permit verifies compliance with the State Fire Code and allows an EUC holder to receive and store explosives in the Commonwealth.

### Requirements as Granted by the Head of the Fire Department

#### Use and Handling Permit

A local permit is issued by the local fire department and is needed to conduct blasting operations in that community.

M.G.L. c. 148, §9 allows a community to develop and pass more stringent by-laws and ordinances governing blasting, if approved by the Board of Fire Prevention Regulations. These by-laws and ordinances must be consistent with state regulations, but may be more restrictive.

