

CHAPTER 33

EXPLOSIVES AND FIREWORKS

SECTION 3301 GENERAL

3301.1 Scope. The provisions of this chapter shall govern the possession, manufacture, storage, handling, sale and use of explosives, explosive materials, fireworks and small arms ammunition.

See Appendix S for other state laws and regulations.

SECTION 3302 RESERVED

SECTION 3303 RESERVED

SECTION 3304 RESERVED

SECTION 3305 MANUFACTURE, ASSEMBLY AND TESTING OF EXPLOSIVES, EXPLOSIVE MATERIALS AND FIREWORKS

3305.1 General. The manufacture, assembly and testing of explosives, ammunition, blasting agents and fireworks shall comply with the requirements of this section and NFPA 495 or NFPA 1124.

Exceptions:

1. The hand loading of small arms ammunition prepared for personal use and not offered for resale.
2. The mixing and loading of blasting agents at blasting sites in accordance with NFPA 495.
3. The use of binary explosives or phosphoric materials in blasting or pyrotechnic special effects applications in accordance with NFPA 495 or NFPA 1126.

3305.2 Emergency planning and preparedness. Emergency plans, emergency drills, employee training and hazard communication shall conform to the provisions of this section and Sections 404, 405, 406 and 407.

3305.2.1 Hazardous Materials Management Plans and Inventory Statements required. Detailed Hazardous Materials Management Plans (HMMP) and Hazardous Materials Inventory Statements (HMIS) complying with the requirements of Section 407 shall be prepared and submitted to the local emergency planning committee, the code enforcement official, and the local fire department.

TABLE 3304.5.2(1)
APPLICATION OF SEPARATION DISTANCE TABLE^a

DOTn DIVISION	AMERICAN TABLE OF DISTANCES FOR STORAGE OF EXPLOSIVE MATERIALS 3304.5.2(2) (DOTy 27 CFR, Part 55.218)	TABLE OF SEPARATION DISTANCES FOR LOW EXPLOSIVES 3304.5.2(3) (DOTy 27 CFR, Part 55.219)	TABLE OF DISTANCES FOR BUILDINGS CONTAINING EXPLOSIVES DIVISION 1.4 3304.5.2(4)
1.1	X	—	—
1.2	X	—	—
1.3	—	X	—
1.4G or 1.4S fireworks	—	—	X
1.4B or 1.4S detonators	—	—	X
1.5	X	—	—
1.6	Not Applicable	Not Applicable	Not Applicable

a. Where adjacent magazines contain different classes of explosive materials, the separation between magazines shall be as prescribed by Table 3304.5.2(2).

EXPLOSIVES AND FIREWORKS

TABLE 3304.5.2(2)
 AMERICAN TABLE OF DISTANCES FOR STORAGE OF EXPLOSIVES AS APPROVED BY THE INSTITUTE OF MAKERS
 OF EXPLOSIVES AND REVISED JUNE 1991^a

QUANTITY OF EXPLOSIVE MATERIALS ^c		DISTANCES IN FEET							
		Inhabited buildings		Public highways with traffic volume less than 3,000 vehicles per day		Public highways with traffic volume greater than 3,000 vehicles per day and passenger railways		Separation of magazines ^d	
Pounds over	Pounds not over	Barricaded	Unbarricaded	Barricaded	Unbarricaded	Barricaded	Unbarricaded	Barricaded	Unbarricaded
0	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	240	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

(continued)

**TABLE 3304.5.2(2)—continued
AMERICAN TABLE OF DISTANCES FOR STORAGE OF EXPLOSIVES AS APPROVED BY THE INSTITUTE OF MAKERS
OF EXPLOSIVES AND REVISED JUNE 1991^a**

QUANTITY OF EXPLOSIVE MATERIALS ^c		DISTANCES IN FEET							
		Inhabited buildings		Public highways with traffic volume less than 3,000 vehicles per day		Public highways with traffic volume greater than 3,000 vehicles per day and passenger railways		Separation of magazines ^d	
Pounds over	Pounds not over	Barricaded	Unbarricaded	Barricaded	Unbarricaded	Barricaded	Unbarricaded	Barricaded	Unbarricaded
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	44	88	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

(continued)

**TABLE 3304.5.2(2)—continued
AMERICAN TABLE OF DISTANCES FOR STORAGE OF EXPLOSIVES AS APPROVED BY THE INSTITUTE OF MAKERS
OF EXPLOSIVES AND REVISED JUNE 1991^a**

QUANTITY OF EXPLOSIVE MATERIALS ^c		DISTANCES IN FEET							
		Inhabited buildings		Public highways with traffic volume less than 3,000 vehicles per day		Public highways with traffic volume greater than 3,000 vehicles per day and passenger railways		Separation of magazines ^d	
Pounds over	Pounds not over	Barricaded	Unbarricaded	Barricaded	Unbarricaded	Barricaded	Unbarricaded	Barricaded	Unbarricaded
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 ^b	2,275	2,275	690	1,380	2,000	2,000	385	770

For SI: 1 foot = 304.8 mm, 1 pound = 0.454 kg.

- a. This table applies only to the manufacture and permanent storage of commercial explosive materials. It is not applicable to transportation of explosives or any handling or temporary storage necessary or incident thereto. It is not intended to apply to bombs, projectiles or other heavily encased explosives.
- b. Storage in excess of 300,000 pounds of explosive materials in one magazine is not allowed.
- c. Where a manufacturing building on an explosive materials plant site is designed to contain explosive materials, such building shall be located with respect to its proximity to inhabited buildings, public highways and passenger railways based on the maximum quantity of explosive materials permitted to be in the building at one time.
- d. Where two or more storage magazines are located on the same property, each magazine shall comply with the minimum distances specified from inhabited buildings, railways and highways, and, in addition, they should be separated from each other by not less than the distances shown for separation of magazines, except that the quantity of explosives in detonator magazines shall govern in regard to the spacing of said detonator magazines from magazines containing other explosive materials. Where any two or more magazines are separated from each other by less than the specified separation of magazines distances, then two or more such magazines, as a group, shall be considered as one magazine, and the total quantity of explosive materials stored in such group shall be treated as if stored in a single magazine located on the site of any magazine in the group and shall comply with the minimum distances specified from other magazines, inhabited buildings, railways and highways.

**TABLE 3304.5.2(3)
TABLE OF DISTANCES FOR BUILDINGS CONTAINING EXPLOSIVES—DIVISION 1.3—MASS-FIRE HAZARD^{a,b,c}**

QUANTITY OF DIVISION 1.3 EXPLOSIVES		DISTANCES IN FEET		
Pounds over	Pounds not over	Inhabited buildings	Passenger railways and public highways	Magazines and operating buildings
0	1,000	75	75	50
1,000	5,000	115	115	75
5,000	10,000	150	150	100
10,000	20,000	190	190	125
20,000	30,000	215	215	145
30,000	40,000	235	235	155
40,000	50,000	250	250	165
50,000	60,000	260	260	175
60,000	70,000	270	270	185
70,000	80,000	280	280	190
80,000	90,000	295	295	195
90,000	100,000	300	300	200
100,000	200,000	375	375	250
200,000	300,000	450	450	300

For SI: 1 foot = 304.8 mm, 1 pound = 0.454 kg.

- a. Black powder, when stored in magazines, is defined as low explosive by the Bureau of Alcohol, Tobacco and Firearms (BATF).
- b. For quantities less than 1,000 pounds, the required distances are those specified for 1,000 pounds. The use of lesser distances is permitted when supported by approved test data and/or analysis.
- c. Linear interpolation of explosive quantities between table entries is permitted.

3305.2.2 Maintenance of plans. A copy of the required HMMP and HMIS shall be maintained on-site and furnished to the code enforcement official on request.

3305.2.3 Employee training. Workers who handle explosives or explosive charges or dispose of explosives shall be trained in the hazards of the materials and processes in which they are to be engaged and with the safety rules governing such materials and processes.

3305.2.4 Emergency procedures. Approved emergency procedures shall be formulated for each plant which will include personal instruction in any emergency that may be anticipated. All personnel shall be made aware of an emergency warning signal.

3305.3 Intraplant separation of operating buildings. Explosives and fireworks manufacturing buildings, including those where explosive charges are assembled, manufactured, prepared or loaded utilizing Division 1.1, 1.2, 1.3, 1.4 or 1.5 explosives, shall be separated from all other buildings, including magazines, within the confines of the manufacturing plant at a distance not less than those shown in Table 3305.3, 3304.5.2 (3), or Table 3304.5.2 (4), as appropriate.

The quantity of explosives in an operating building shall be the net weight of all explosives contained therein. Distances shall be based on the hazard division requiring the greatest separation, unless the aggregate explosive weight is divided by approved walls or shields designed for that purpose. When dividing a quantity of explosives into smaller stacks, a suitable barrier or adequate separation distance shall be provided to prevent propagation from one stack to another.

When distance is used as the sole means of separation within a building, such distance shall be established by testing. Testing shall demonstrate that propagation between stacks will not result. Barriers provided to protect against explosive effects shall be designed and installed in accordance with approved standards.

Exception: Fireworks-manufacturing buildings separated in accordance with NFPA 1124.

3305.4 Separation of manufacturing buildings from inhabited buildings, rights-of-way, and magazines. When a manufacturing building on an explosive materials plant site is designed to contain explosive materials, such building shall be located away from inhabited buildings, public highways, and passenger railways in accordance with Table 3304.5.2(2), 3304.5.2(3) or 3304.5.2(4) as appropriate, based on the maximum quantity of explosive materials permitted to be in the building at one time.

Exception: Fireworks-manufacturing buildings constructed and operated in accordance with NFPA 1124.

3305.5 Buildings and equipment. Buildings or rooms that exceed the maximum allowable quantity per control area of explosive materials shall be operated in accordance with this section and constructed in accordance with the requirements of the *Building Code of New York State* for Group H occupancies.

Exception: Fireworks-manufacturing buildings constructed and operated in accordance with NFPA 1124.

3305.5.1 Explosives dust. Explosives dust shall not be exhausted to the atmosphere.

3305.5.1.1 Wet collector. When collecting explosives dust, a wet collector system shall be used. Wetting agents shall be compatible with the explosives. Collector systems shall be interlocked with process power supplies so that the process cannot continue without the collector systems also operating.

3305.5.1.2 Waste disposal and maintenance. Explosives dust shall be removed from the collection chamber as often as necessary to prevent overloading. The entire system shall be cleaned at a frequency that will eliminate hazardous concentrations of explosives dust in pipes, tubing and ducts.

3305.5.2 Exhaust fans. Squirrel cage blowers shall not be used for exhausting hazardous fumes, vapors or gases. Only nonferrous fan blades shall be used for fans located within the ductwork and through which hazardous materials are exhausted. Motors shall be located outside the duct.

3305.5.3 Work stations. Work stations shall be separated by distance, barrier or other approved alternatives so that fire in one station will not ignite material in another work station. Where necessary, the operator shall be protected by a personnel shield located between the operator and the explosive device or explosive material being processed. This shield and its support shall be capable of withstanding a blast from the maximum amount of explosives allowed behind it.

3305.6 Operations. Operations involving explosives shall comply with Sections 3305.6.1 through 3305.6.10.

3305.6.1 Isolation of operations. When the type of material and processing warrants, mechanical operations involving explosives in excess of 1 pound (0.454 kg) shall be carried on at isolated stations or at intraplant distances, and machinery shall be controlled from remote locations behind barricades or at separations so that workers will be at a safe distance while machinery is operating.

3305.6.2 Static controls. The work area where the screening, grinding, blending and other processing of static-sensitive explosives or pyrotechnic materials is done shall be provided with approved static controls.

3305.6.3 Approved containers. Bulk explosives shall be kept in approved, nonsparking containers when not being used or processed. Explosives shall not be stored or transported in open containers.

3305.6.4 Quantity limits. The quantity of explosives at any particular work station shall be limited to that posted on the load limit signs for the individual work station. The total quantity of explosives for multiple workstations shall not exceed that established by the intraplant distances in Table 3305.3, 3304.5.2 (3) or 3304.5.2 (4), as appropriate.

3305.6.4.1 Magazines. Magazines used for storage in processing areas shall be in accordance with the requirements of Section 3304.5.1. All explosive materials shall be removed to appropriate storage magazines for unattended storage at the end of the work day. The contents of indoor magazines shall be added to the quantity of explosives contained at individual workstations and the total quantity of material stored, processed or used shall be utilized to establish the intraplant separation distances indicated by Table 3305.3, 3304.5.2(3) or 3304.5.2(4), as appropriate.

3305.6.5 Waste disposal. Approved receptacles with covers shall be provided for each location for disposing of waste material and debris. These waste receptacles shall be emptied and cleaned as often as necessary but not less than once each day or at the end of each shift.

3305.6.6 Safety rules. General safety rules and operating instructions governing the particular operation or process conducted at that location shall be available at each location.

3305.6.7 Personnel limits. The number of occupants in each process building and in each magazine shall not exceed the number necessary for proper conduct of production operations.

3305.6.8 Pyrotechnic and explosive composition quantity limits. Not more than 500 pounds (227 kg) of pyrotechnic or explosive composition, including not more than 10 pounds (5 kg) of salute powder shall be allowed at one time in any process building or area. All compositions not in current use shall be kept in covered nonferrous containers.

Exception: Composition that has been loaded or pressed into tubes or other containers as consumer fireworks.

3305.6.9 Posting limits. The maximum number of occupants and maximum weight of pyrotechnic and explosive composition permitted in each process building shall be posted in a conspicuous location in each process building or magazine.

3305.6.10 Heat sources. Fireworks, explosives or explosive charges in explosive materials manufacturing, assembly or testing shall not be stored near any source of heat.

Exception: Approved drying or curing operations.

3305.7 Maintenance. Maintenance and repair of explosives-manufacturing facilities and areas shall comply with Sections 3305.7.1 through 3305.7.3.

3305.7.1 Housekeeping. Magazine floors shall be regularly swept and shall be kept clean, dry and free of grit, paper, empty packages and rubbish. Brooms and other cleaning utensils shall not have any spark-producing metal parts. Sweepings from magazine floors shall be disposed of in accordance with the manufacturers' approved instructions.

3305.7.2 Repairs. Explosive materials shall be removed from the magazine before making repairs to the interior of the magazine. Explosive materials shall be removed from the magazine before making repairs to the exterior of the magazine where there is a possibility of causing a fire. Explosive materials removed from a magazine under repair shall either be placed in another magazine or placed a safe

distance from the magazine, where they shall be properly guarded and protected until repairs have been completed. Upon completion of repairs, the explosive materials shall be promptly returned to the magazine. Floors shall be cleaned before and after repairs.

3305.7.3 Floors. Magazine floors stained with liquid shall be dealt with according to instructions obtained from the manufacturer of the explosive material stored in the magazine.

3305.8 Explosive materials testing sites. Detonation of explosive materials or ignition of fireworks for testing purposes shall be done only in isolated areas at sites where distance, protection from missiles, shrapnel or flyrock, and other safeguards provides protection against injury to personnel or damage to property.

3305.8.1 Protective clothing and equipment. Protective clothing and equipment shall be provided to protect persons engaged in the testing, ignition or detonation of explosive materials.

3305.8.2 Site security. When tests are being conducted or explosives are being detonated, only authorized persons shall be present. Areas where explosives are regularly or frequently detonated or burned shall be approved and posted with adequate warning signs. Warning devices shall be activated before burning or detonating explosives to alert persons approaching from any direction that they are approaching a danger zone.

3305.9 Waste disposal. Disposal of explosive materials waste from manufacturing, assembly or testing operations shall be in accordance with Sections 3305.9.1 through 3305.9.7.

3305.9.1 Notification. The code enforcement official shall be notified immediately when deteriorated or leaking explosive materials are determined to be dangerous or unstable and in need of disposal.

3305.9.2 Deteriorated materials. When an explosive material has deteriorated to an extent that it is in an unstable or dangerous condition, or when a liquid has leaked from an explosive material, the person in possession of such material shall immediately contact the material's manufacturer to obtain disposal and handling instructions.

3305.9.3 Qualified person. The work of destroying explosive materials shall be directed by persons experienced in the destruction of explosive materials.

3305.9.4 Storage of misfires. Explosive materials and fireworks recovered from blasting or display misfires shall be placed in a magazine until an experienced person has determined the proper method of disposal.

3305.9.5 Disposal sites. Sites for the destruction of explosive materials and fireworks shall be approved and located at the maximum practicable safe distance from inhabited buildings, public highways, operating buildings, and all other exposures to ensure keeping air blast and ground vibration to a minimum. The location of disposal sites shall be no closer to magazines, inhabited buildings, railways, highways, and other rights-of-way than is permitted by Tables 3304.5.1.(1), 3304.5.2.(2) and 3304.5.2.(3). When possible, barricades shall be used between the destruction site

and inhabited buildings. Areas where explosives are detonated or burned shall be posted with adequate warning signs.

3305.9.6 Reuse of site. Unless an approved burning site has been thoroughly saturated with water and has passed a safety inspection, 48 hours shall elapse between the completion of a burn and the placement of scrap explosive materials for a subsequent burn.

3305.9.7 Personnel safeguards. Once an explosive burn operation has been started, personnel shall relocate to a safe location where adequate protection from air blast and flying debris is provided. Personnel shall not return to the burn area until the person in charge has inspected the burn site and determined that it is safe for personnel to return.

**SECTION 3306
RESERVED**

**SECTION 3307
RESERVED**

**SECTION 3308
FIREWORKS DISPLAY**

3308.1 General. The display of fireworks, including proximate audience displays and pyrotechnic special effects in motion picture, television, theatrical, and group entertainment productions, shall comply with this chapter and NFPA 1123 or NFPA 1126.

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