2025 Public Policy Priorities

About the Industry

The commercial explosives industry creates over 15,500 direct jobs, supports more than 60,000 workers, and contributes nearly $19.5 billion to the U.S. economy annually. Commercial explosives are used in all 50 states, as they are essential to energy production, highway and building construction, and the manufacture of almost all metal and mineral products.

Safety

Safety is the top priority of the commercial explosives industry. IME and its members invest significant resources to develop and implement comprehensive safety practices, training programs, and equipment standards to keep our workforce and our surrounding communities safe.

IME and its members frequently engage with federal regulatory agencies, including the U.S. Department of Transportation's Pipeline and Hazardous Materials Safety Administration (PHMSA), the Mine Safety and Health Administration (MSHA), and the U.S. Department of Labor's Occupational Safety and Health Administration (OSHA), to ensure our industry maintains the highest standards for the safe manufacture, transport, storage, and use of commercial explosives.

IME Supports:

- Uniform regulations that improve safety based on sound data and science, subject to public and industry scrutiny, and that do not unnecessarily increase costs.
- OSHA modernizing its standards for the safe storage and handling of ammonium nitrate (AN) under 1910.109(i), to include a prohibition of wooden storage bins, the maintenance of a written safety plan, and incorporation of recent changes to NFPA 400. IME opposes OSHA adding Process Safety Management requirements for AN, as there have been no accidents involving AN where the facility was following current OSHA regulations.

- MSHA modernizing and harmonizing regulations for commercial explosives to:
    - Incorporate current and future innovative explosives technologies and safety best practices,
    - Eliminate regulatory uncertainty,
    - Harmonize MSHA's regulations both internally and with other federal agencies that regulate commercial explosives to ensure clear and consistent implementation for industry and regulators.

Security

The commercial explosives industry is one of the most highly regulated in the world when it comes to the security of our products. IME members work tirelessly to ensure their products are secure throughout the entire supply chain. We are proud of our proven track record of adhering to strict security protocols to safeguard explosive products and their precursors against theft, diversion, or illicit use throughout their lifecycle. The security of our products is maintained despite several overlapping, inconsistent, and outdated federal regulations that lead to inefficiencies and redundant requirements without additional security benefits.

IME Supports:

- Simplifying and modernizing federal regulations to better align with today's business practices while maintaining a high level of security throughout our supply chain.
- Reducing duplicative, outdated, and contradictory regulations that lead to confusion and added expense.
- Congress and/or the U.S. Department of Homeland Security (DHS) acting to remove chemicals of interest used in the commercial explosives industry from Appendix A of the DHS Chemical Facility Anti-Terrorism Standards (CFATS) program.[1] These materials are already successfully regulated by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) under the Safe Explosives Act.
- ATF eliminating its duplicative record-keeping requirements when a single entity is engaged in multiple activities related to the commerce of commercial explosives.
- ATF finalizing its efforts to modernize the Federal Explosives Law and Regulations publication, the "Orange Book," the federal code primarily responsible for the safe and secure storage and distribution of commercial explosives, into the 21st century and up to date with the latest advances in the commercial explosives industry. This includes:
    - Expedited background checks,
    - Electronic recordkeeping and reports,

[1] CFATS is currently inactive as of July 28, 2023.

    - Remote electronic monitoring of storage magazines, and
    - Updated classifications of materials.
- Common-sense regulations to ensure critical infrastructure is protected from threats posed by drones. The industry must also have the ability to protect itself from being profiled by malicious actors and be given tools for recourse when drones breach facility airspace.

Supply Chain

Manufacturing commercial explosive products requires inputs that can be difficult to source due to limited domestic supply. As a result, domestic manufacturers of commercial explosives must import materials from overseas, sometimes from countries of concern, or that have less restrictive environmental rules than the U.S. Many of these materials are also used in defense applications.

IME Supports:

- A robust and diverse supply chain for both energetic materials and other necessary inputs for the commercial explosives industry, including both domestic sourcing and streamlined importing processes.
- Balanced access to energetic materials and other necessary inputs used in the commercial explosives and defense industries.
- The promotion of domestic manufacturing of energetic materials to ensure supply chain stability and predictability for the commercial explosives industry.
- The adoption of streamlined international shipping standards to ensure companies can import and export materials in a timely fashion.
- Domestic and international trade and tariff structures that promote competitiveness in the U.S. economy.
- Tax policies that promote economic growth in the commercial explosives sector.

Transportation and Infrastructure

The commercial explosives industry relies on all modes of transportation, including rail, truck, water, and air, to move products safely and securely, not just nationwide, but throughout the world. Transportation-induced disruptions to the supply chain can lead not only to delays in our industry but also to the industries we serve, including the transportation, infrastructure, mining/critical minerals, and energy sectors. Significant delays can also lead to increased project costs and potential safety hazards.

IME Supports:

- A streamlined and consistent process for PHMSA to adopt updated United Nations model regulations for the transportation of materials.

- Expanded and consistent access to our nation's ports to safely bring commercial explosives and energetic materials into ports and harbors, including establishing policies for consistently applying Quantitative Risk Assessments.
- PHMSA examining the feasibility of safely transporting Class 1 hazardous materials, and other materials necessary for blasting, on zero-emission vehicles.
- Policies that encourage sufficient rail capacity to move our products in a timely manner.
- Policies, including incentives, to expand the pool of Commercial Driver's License (CDL) drivers.
- Increasing truck weight capacity to facilitate the safe and efficient movement of products throughout the supply chain and reduce trips across the roads.

Energy and Environment

The commercial explosives industry plays a vital role in ensuring our nation has a diverse energy supply that is abundant and affordable. This includes traditional sources of energy like coal, oil, and natural gas. Commercial explosives also play a significant role in sourcing the critical minerals necessary for the manufacture of modern renewable energy technologies that are part of a low-carbon economy. Commercial explosives are used to source materials like copper, lithium, and nickel, which are used to make batteries for electric vehicles and energy storage systems. Commercial explosives are also used in the construction process to build wind turbines, solar panel farms, geothermal projects, and hydropower energy systems.

IME Supports:

- An all-of-the-above energy policy.
- Streamlining federal energy permitting to better develop and use America's vast energy resources to bolster America's domestic energy supply.
- Safe and appropriate disposal of explosive materials, including open burn and open detonation practices.
- Comprehensive permitting reform to build our nation's energy infrastructure and facilitate the extraction of critical minerals in the U.S.
- Maintaining the current regulation of AN by DOT, EPA, OSHA, and ATF. IME opposes the EPA adding AN to the Risk Management Program as current regulations have proven effective when enforced.

Workforce

IME members invest significant capital on skills training and safety education to recruit and retain a qualified workforce to meet current and future needs. Workers in the commercial explosives industry must undergo an ATF

background check through the FBI's National Instant Criminal Background Check System (NICS). While IME supports this requirement, delays and inefficiencies in the process make it difficult to recruit and retain qualified individuals to work in the industry.

IME Supports:

- ATF, in conjunction with the FBI, developing an e-form to reduce wait times, increase efficiency, and decrease costs both to taxpayers and the industry.
- The timely processing of ATF background checks to ensure workers handling explosives are properly vetted.
- Incentives to encourage the next generation of leaders to consider a career in the commercial explosives industry.

Innovation

Over the past century, the commercial explosives industry has made great strides in the safe and secure manufacture, transport, storage, and use of our products. IME members constantly work to create innovative technologies and products designed to enhance performance in the field and increase the safety of our workforce and the communities where we operate.

IME Supports:

- Federal funding and incentives for research and development of new, cost-effective, and sustainable high explosives that would provide our industry with new tools to meet evolving customer needs, minimize environmental impacts, and allow the U.S. to lead in explosives innovation.
- Incentives to explore the automation of certain manufacturing processes as well as processes in the field to ensure overall safety by exposing as few personnel as possible to processes that pose the greatest risk.
- A modernized regulatory environment that keeps pace with industry innovation and allows our industry to bring new products to market promptly and efficiently.