



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

Enforcement Programs and Services

Washington, DC 20226

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OPEN LETTER TO ALL FEDERAL EXPLOSIVES LICENSEES AND PERMITTEES

The purpose of this letter is to provide all Federal explosives licensees and permittees (FEL/Ps) guidance on the safe storage of explosive materials. The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) has received inquiries about the possession and use of electronic nicotine delivery systems within explosives storage magazines.

Electronic nicotine delivery systems, or other similar devices, are electronic devices that, through an aerosolized solution, deliver nicotine, flavor, and/or other substances (including non-tobacco products) to the user inhaling from the device. These delivery systems include, but are not limited to, e-cigarettes; e-hookahs; e-cigars; vape pens; advanced refillable personal vaporizers; and electronic pipes. The devices rely on a power source (usually a battery) and electric heating element (*e.g.* atomizer) to vaporize a liquid solution that simulates traditional smoking. A July 2017 U.S. Fire Administration report on the subject “Electronic Cigarette Fires and Explosions in the United States 2009 – 2016” revealed numerous fires and explosions caused by these devices.

The regulation at 27 CFR 555.212 prohibits smoking, matches, open flames, and spark producing devices from being: 1) in any magazine; 2) within 50 feet of any outdoor magazine; or 3) within any room containing an indoor magazine. This regulation exists, in part, to ensure potential sources of fire are not brought into or near explosives storage magazines thereby reducing the risk of an accidental explosion.

Spark producing devices include, but are not limited to, lighters, certain fireworks firing system components, grinder tools, and rail-hardening chambers. ATF has determined that electronic nicotine delivery systems are spark producing devices. Therefore, they cannot be brought into or within 50 feet of any outdoor explosives storage magazine or within any room containing an indoor magazine pursuant to 27 CFR 555.212.

ATF is committed to helping FEL/Ps comply with the Federal explosives laws and regulations. Should you have any questions regarding this notice, please contact ATF’s Explosives Industry Programs Branch at 202-648-7120 or EIPB@atf.gov.

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