

Cooperation in Regulations

John Petty and John Loviza

As a blaster, have you ever had that uneasy feeling in the pit of your stomach as a codes enforcement official drives onto your jobsite? Have you ever needed an ally in a court of law against an unjust damage claim? Have you ever wished for a better and more open relationship with the guys who wear the badges?

The day of a codes official coming onto a jobsite and being met with disgust and fear has passed. A new day has dawned where there is a true air of cooperation between blasters and regulators.

What brought about this improvement in relations? It was the realization that each needed the other. We have come to understand that the only person who can truly ensure regulations are followed on a daily basis is the blasting supervisor overseeing day-to-day operations. Also, our eyes opened to the fact that in a court of law defending against a damage suit, there is no greater ally to the Explosive Engineer than a regulations enforcer testifying "all codes and standards were met or exceeded at the jobsite in question".

Fire and Safety Inspectors need to be invited to blasters' meetings and seminars which enable all parties to get to know each other under conditions conducive to improving working relationships.

Don't wait until you are mired in a heated conversation over some minor but crucial detail of written code interpretation. Sit down before blasting begins and outline what is expected to happen and on what time schedule. Be particularly aware of "potential" trouble spots and keep the Inspector informed of progress and any problems. This helps ensure the Inspector's positive input if the need arises. He will have been involved from the start and may well feel a partner in resolving differences of opinion.

The following sections are taken directly from NFPA 495 the EXPLOSIVES MATERIALS CODE with notations of frequently found violations:

A copy of the permit to use shall be posted at each place of operation. (The permit is often not posted)

A copy of the permit to blast shall be carried by the permit holder during blasting operations. The permit may be displayed in a work trailer if the local authority having jurisdiction approves. (Often the permit is not onsite)

All explosive materials not in the process of manufacture, being transported, or being used shall be in storage magazines. (Explosive Materials are often not properly secured on a jobsite)

Smoking, matches, open flames, spark-producing devices and firearms shall not be permitted inside of or within 50 feet of a magazine. No smoking shall be permitted within 50 feet of any location where explosives are being handled or used. (Smoking is often observed near magazines and near where explosives are being handled)

Three pieces of safety literature should be in every Explosive Engineer's library:

Safety Library Publication #2, "The American Table of Distances"

Safety Library Publication #14, "Handbook for the Transportation and Distribution of Explosive Materials"

E.T.I. or I.C.I. (Atlas) "Blaster's Handbook"

By simply following the guidelines in these three documents and NFPA 495, you will avoid 95% of any problems arising with codes enforcement officials.

But we know things do not always go according to plans; thus you will on occasion have to deal with irate citizens who claim excessive damage to their property. When this happens, your best friend will be the codes official, as he can help defuse the claimant's accusations by showing documentation you followed all the required safety precautions before, during, and post blasting.

Now to answer our three original questions. You no longer need to fear a codes official coming onto your jobsite; he is there to serve you as well as the public and to assist with insuring guidelines are followed. The inspector may save you thousands of dollars in unjust claims in a court of law by stating your record keeping does not back up the accusation. The relationship development is up to both you and the codes official.

John Loviza of the Tennessee Volunteer Chapter of the International Society of Explosives Engineers over one year ago invited several Fire Inspectors from the Nashville Fire Department to come to a dinner meeting of the chapter and simply break bread and have informal discussions with the blasters from the area.

The direct result of that initial invitation has seen four local and two fire officials join the chapter. Both codes enforcers and blasters have found the relationship to be most rewarding. The State Fire Marshal, Robert Frost, has addressed the group on two occasions, and John Petty of the Nashville Fire Department has spoken before the

group on one occasion. Both these fire service leaders attend each chapter meeting and entertain questions as well as provide the latest in codes updates.

Larry Snyder is an officer of the Kentucky Bluegrass Chapter and Director of the Kentucky Department of Mines and Minerals. The Kentucky Chapter has also initiated a program of cooperation between codes officials and blasters which they are very pleased with.

Of particular interest has been the positive feedback from the inspectors. The inspectors have had the opportunity to see the very latest in blasting safety technology and discuss openly with the end users their individual experiences with the products. The night the chapter presented four (4) vendors of seismographs, the ones pushing to the front of each demonstration were the inspectors. Several meetings have found the blasters and inspectors elbow to elbow viewing and discussing the ins and outs of controversial subjects. A greater appreciation of each other's positions has grown from these roundtable discussions.

The easiest way to encourage a codes enforcement official to visit with your local organizations is to invite them to attend a lunch or dinner meeting. Let them see how you operate and ask if they will come back to the next meeting and address the group on any subject they wish. You may want to steer them along the line of their first talk being one of trust and openness; nothing will turn your membership off more than a badge happy person bent on venting pent up frustrations with what they perceive to be an industry not following set guidelines.

Members will ask "What problems do you most often find when you come onto a job site?" This gives the codes official an opportunity to share with the membership his 'personal' perceptions of what is right and wrong. It allows the members an opportunity to fine tune their operations to ascertain they meet the official's expectations with a minimum of discomfort. If you have taken care of his minor complaints; you may find he is more understanding when larger, more problems arise.

Several blasters have indicated they are more comfortable seeing an inspector come on their jobsite after having met with him/her in a less formal surrounding. The ability to ask about one's new child or recent wedding is a delightful icebreaker and seems to ease the conversation into the work arena. Such personal tidbits are immeasurable in improving the relationship we want and need to establish.

So, stick out your hand and begin today to improve Cooperation in Regulations!

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