

This publication contains material exempt from public disclosure identified by a shaded overlay. Exempt material shall not be disclosed outside CHP except to allied agencies with their agreement not to disclose the information outside their agency.

CALIFORNIA HIGHWAY PATROL

GENERAL ORDER 100.50

REVISED SEPTEMBER 2010

EXPLOSIVES SECURITY AND STORAGE

1. PURPOSE. The purpose of this General Order (GO) is to provide departmental policy for the security, storage, documentation, and reporting procedures of explosive materials, and to ensure compliance with applicable federal, state, and local regulations.

2. POLICY.
 - a. Security Requirements. Permanent or long-term storage of explosive training aids is governed by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) regulations as outlined in the Organized Crime Control Act of 1970 (Title XI) and Section 12151 of the California Health and Safety Code (HSC). Section 12151 HSC requires all explosives to be stored as specified in regulations (Title 19, California Code of Regulations, Chapter 10) adopted by the State Fire Marshal (SFM).
 - (1) Separation, packaging, and transportation of individual compounds shall be accomplished as outlined in Annex A of HPM 70.7, Departmental Canine Program Manual.
 - (2) Training aids shall be stored in an ATF approved indoor or outdoor Type 2 explosives magazine.
 - (a) Outdoor magazines require strict adherence to distance and barrier regulations relative to the location of explosives magazines from highways and inhabited buildings.
 - (b) Indoor magazines shall be placed inside a bullet and weather resistant room.

(4) For all other magazines, only canine officers and the canine supervisor or other supervisory personnel, as designated by the commander, shall have access to the secured training aids.

(5) An explosive magazine entry log will be kept within the explosive magazine. Commanders shall ensure all personnel complete the necessary information on this log when entry is made into the magazine. Magazine entry logs shall be retained at the Area for three years.

b. Storage. Commanders shall be responsible for ensuring access logs and authorized personnel lists are current and on file at all times. Access logs shall be stored inside the explosives magazine and authorized personnel lists shall be stored in the Area command's files.

c. Inspection of Magazines.

(1) Initial and annual inspections of magazine storage locations to ensure compliance with state fire regulations, shall be accomplished utilizing the services of the SFM's office. Upon successful completion of the final magazine location inspection, the SFM should issue a letter of compliance. Commanders shall ensure any new magazine locations are inspected by the SFM's office and a letter of compliance, to be filed at the magazine location and in the Area command's files, is issued prior to use.

(2) Commanders should request that the representative from the SFM's office respond to inspect the proposed magazine storage location prior to installation. This will minimize complications associated with storing explosives on a semi-permanent basis.

(3) A representative of the local fire jurisdiction likely to respond to an incident should also participate in the inspection process. This will serve to alert the agency to the presence of explosive training aids at the facility as well as encourage interagency cooperation.

d. Training Aid Inspections.

(1) Commanders shall ensure that all magazines under their control are visually inspected by the canine officer or canine supervisor at a minimum of every seven days. This inspection is to ensure that the security of the storage facility has not been compromised. The inspection shall include confirming the amount of explosives present and ensuring their structural integrity.

(2) As needed for training purposes, explosive compounds shall be checked out and returned to the magazine on a daily basis.

(3) The canine officer and the canine supervisor shall ensure that training aids are secure in order to prevent accidental ingestion, damage, contamination, and/or loss of the compounds.

(4) In the event a training aid is lost, damaged, or stolen, the canine officer shall immediately notify the canine supervisor. The canine supervisor shall immediately notify the commander who will make proper notification as outlined in section f below.

(5) A quarterly inspection shall be conducted by the canine supervisor and shall include confirming the amount of explosives present and ensuring their structural integrity. Commanders shall ensure that the inventory report is forwarded to Field Support Section (FSS) as outlined in HPM 70.7.

(6) Following notification to the commander, reports and inventory will be made available upon request to the fire department or BATF for inspection.

(7) Training aids should be destroyed per Federal Bureau of Investigation training and Hazardous Device Detail (HDD) guidelines, and replaced as needed due to contamination or integrity loss. Old training aids shall be turned over to the CPS/HDD unit for proper disposal.

e. Modifications to Magazines.

(1) There shall be no alterations or modifications of an existing magazine without prior approval from FSS.

(2) Commanders shall ensure the SFM inspects and issues a letter of compliance, to be filed at the magazine location and in the Area command's files, for the altered or reconstructed magazine location prior to use.

f. Reporting Procedures for Theft or Loss of Explosive Materials.

(1) In the event of theft or loss of materials, commanders shall immediately notify their respective Division commanders who in turn shall immediately notify the appropriate Assistant Commissioner and the Emergency Notification and Tactical Alert Center (ENTAC) at (916) 843-4199 (24 hour number), as specified in GO 100.80 (Notification and Report of Emergencies and Unusual Occurrences).

(a) In the event of a discrepancy between the inventory log and the materials in the magazine, the canine supervisor shall immediately notify the commander.

(b) If the commander cannot resolve the discrepancy, the commander shall treat it as lost or stolen material.

(2) Commanders shall ensure in the event of theft or loss of any explosive material(s), that the ATF is notified within 24 hours of discovery, by telephoning 1-888-283-2662 (nationwide toll free number) and in writing by completing the ATF E-Form 5400.5, Report of Theft or Loss-Explosive Materials (Annex A) in accordance with the instructions on the form. This form can be obtained online at www.atf.treas.gov/forms/index.htm.

(3) Commanders shall ensure theft or loss of any explosive materials is also reported to appropriate local authorities.

OFFICE OF THE COMMISSIONER

ANNEX A

OPI: 065

ANNEX A

REPORT OF THEFT OR LOSS – EXPLOSIVE MATERIALS

U.S. Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives

OMB No. 1140-0026 (01/31/2009)

Report of Theft or Loss - Explosive Materials

For ATF Use Only

Date Received	Time Received	Unique Identifier
---------------	---------------	-------------------

Upon discovery of any theft or loss of any of your explosive materials:
 - First, contact ATF toll free at 1-800-461-8841 between 8:00 a.m. - 5:00 p.m. EST (or after hours and weekends contact ATF at 1-888-283-2662) or at 202-648-9040 to report the theft or loss;
 - Second, contact your local law enforcement office to report the theft or loss to obtain a police report; and
 - Third, complete this form and attach any additional reports, sheets or invoices necessary to provide the required information, and fax the form with additional material(s) to the ATF U.S. Bomb Data Center (USBDC).

To Be Completed By Person Making Report

1. Date	2. Type of Report (<i>Check one</i>): Theft <input type="checkbox"/> Loss <input type="checkbox"/>	
3. Full Name of Person Making the Report (<i>Last, First, Middle</i>)	4. Corporate or Business Name (<i>If applicable</i>)	
5a. Office Address (<i>Street Address, City, State, and Zip Code</i>)		5b. Telephone Number
6. Actual Location of Theft or Loss (<i>if different from item 5a</i>)		

7. Theft or Loss	Date	Time	8. Name of Local Law Enforcement Officer to Whom Reported	
a. Discovered			9. Agency Name and Address of Local Authority to Whom Reported	
b. Occurred (<i>Show approximate if exact not known</i>)				
c. Reported to ATF by Telephone				
d. Reported to Local Authorities			10. Telephone Number	11. Police Report Number

12. Explosive Materials Lost or Stolen (*Attach invoices or additional sheets, if necessary*)

a. Manufacturer	b. Brand Name	c. Date Shift Code	d. Size	e. Quantity (Pounds of Explosives, Number of Dets)	f. Type and Description (Dynamite, Blasting Agents, Detonators, etc. Include for each type, size, MS delay or length of legwire, as applicable)

13. Theft or Loss Occurred From (*Check applicable box*)

Permanent Magazine
 Portable Magazine
 Truck
 Work Site
 Other (*Explain*) _____

ATF E-Form 5400.5
Revised January 2006

ANNEX A

REPORT OF THEFT OR LOSS – EXPLOSIVE MATERIALS (continued)

14. Method of Entry (Complete if applicable)		15. Hood Defeated (If yes, check the applicable box below) Yes <input type="checkbox"/> No <input type="checkbox"/>	
Locks Cut <input type="checkbox"/>	Inside Help <input type="checkbox"/>	Broken <input type="checkbox"/>	
Locks Picked <input type="checkbox"/>	Wall Entry <input type="checkbox"/>	Cut <input type="checkbox"/>	
Door Unlocked <input type="checkbox"/>	Key Stolen/ Used <input type="checkbox"/>	Removed <input type="checkbox"/>	
Door Blown Open <input type="checkbox"/>		Inadequate for Lock Used <input type="checkbox"/>	
16. Other Information Pertinent to the Theft or Loss			
17. Signature and Title of Person Making Report		18. Federal Explosives License or Permit Number	
Reporting Instructions			
Fax this completed form to the ATF address listed below or call if no fax is available:			
Bureau of Alcohol, Tobacco, Firearms and Explosives U.S. Bomb Data Center P.O. Box #50980 Washington, DC 20091 Toll Free Fax: 1-866-927-4570			
Questions regarding the completion of this form should be referred to the U.S. Bomb Data Center toll free at 1-800-461-8841.			
Privacy Act Information			
The following information is provided pursuant to section 3 of the Privacy Act of 1974 (5 U.S.C. § 522a(e)(3))			
1. Authority. Solicitation of this information is made pursuant to Title XI of the Organized Crime Control Act of 1970 (18 U.S.C. Chapter 40). Disclosure of a theft or loss of explosive materials is mandatory pursuant to 18 U.S.C. § 842(k) for any person who has knowledge of such theft or loss from his stock.			
2. Purpose. The purpose for the collection of this information is to give ATF notice of the theft or loss of explosive materials, and to furnish ATF with the pertinent facts surrounding such theft or loss. In addition, the information is used to confirm and verify prior notification of this theft or loss of explosive materials.			
3. Routine Uses. The information will be used by ATF to aid in the administration of laws within its jurisdiction concerning the regulation of explosive materials and other related areas. In addition, the information may be disclosed to other Federal, State, foreign, and local law enforcement of laws within their jurisdiction.			
4. Effects of not supplying information requested. 18 U.S.C. § 842(k) makes it unlawful for any person, who has knowledge of the theft or loss of explosive materials from his stock, to fail to report such theft or loss within twenty-four hours of discovery thereof, to the Secretary and to appropriate local authorities. The penalty for violation of this section is a fine of not more than \$1,000 or imprisonment for not more than one year, or both. 18 U.S.C. § 844(b)			
Paperwork Reduction Act Notice			
This request in accordance with the Paperwork Reduction Act of 1995. The purpose of this information collection is to report the theft or loss of explosive materials. The information is used for investigative purposes by ATF officials. This information is mandatory by statute. (18 U.S.C. § 842)			
The estimated average burden associated with this collection of information is 1 hour and 48 minutes per respondent or recordkeeper, depending on individual circumstances. Comments concerning the accuracy of this burden estimate and suggestions for reducing this burden should be addressed to Reports Management Officer, Document Services Branch, Bureau of Alcohol, Tobacco, Firearms and Explosives, Washington, DC 20226.			
An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.			
ATF E-Form 5400.5 Revised January 2006			