

# Application for Explosives License or Permit

**All responsible persons must complete a Responsible Person Questionnaire, ATF Form— 5400.13A/5400.16 Part B. Issuance of your Federal explosives license or permit (FEL/P) will be delayed or denied if Part B is incomplete or missing.**

FOR ATF USE ONLY

Please print or type all information.

1. Name of Applicant (*List individual, corporation, LLC, or name of each partner*)

2. Trade Name or Business Name (*if any*)

3. Employer Identification Number (EIN) or Social Security Number (SSN) (*Voluntary*) (*See Privacy Act Information*)

4. Name of County in Which Business is Located

5. Premises Address (*Number, street, city, state, ZIP code*)

6. Mailing Address (*If different from premises address*)

7. Contact Information (*10-digit phone number*) (*Please use check box to indicate your 24-hour contact number*)

Business

Mobile

Fax

Other

8. E-Mail Address

9. Are you presently engaged in a business and/or operations for which a FEL/P is required under 18 U.S.C., Chapter 40, Explosives? (*If yes, provide date business began*)  Yes/Date: \_\_\_\_\_  No

10. Is or will your business and/or operations be: (*Check appropriate box*)

Sole Proprietor

Partnership

Corporation

Limited Liability Company

Other (*Specify*) \_\_\_\_\_

11. Method of payment (*Check one*)

Check (*Enclosed*)

Cashier's Check or Money Order (*Enclosed*)

Visa

Mastercard

American Express

Discover

Diners Club

Credit/Debit Card Number (*No dashes*)

Name as Printed on the Credit/Debit Card

Expiration Date (*Month & year*)

Credit/Debit Card Address

Credit/Debit Card Billing Address

City

State

ZIP Code

Please complete to ensure payment is credited to the correct application

I am paying the application fee for the following person, corporation, or partnership

Total Application Fees

I authorize ATF to charge my credit/debit card the total application fees

\_\_\_\_\_  
Signature of Cardholder

\_\_\_\_\_  
Date

Your credit/debit card will be charged the above stated amount upon receipt of the application. The charge will be reflected on your credit/debit card statement. In the event your FEL/P application is NOT approved, the above amount will be credited to the credit/debit card noted above.

12. This application is made for an FEL/P under 18 U.S.C., Chapter 40, as an: (See definitions 5-9)

Explosives License	Fee	Renewal Fee	Explosives Permit	Fee	Renewal Fee
Manufacturer: (Check the types of explosives you plan to manufacture) <input type="checkbox"/> High Explosives <input type="checkbox"/> Low Explosives <input type="checkbox"/> Theatrical Flash Powder <input type="checkbox"/> Fireworks <input type="checkbox"/> Blasting Agents <input type="checkbox"/> Other (Specify) _____	\$200	\$100	User of Explosives: (Check the types of explosives you plan to use) <input type="checkbox"/> High Explosives <input type="checkbox"/> Fireworks <input type="checkbox"/> Blasting Agents <input type="checkbox"/> Other (Specify) _____ <input type="checkbox"/> Low Explosives	\$100	\$50
Importer: (Check the types of explosives you plan to import) <input type="checkbox"/> High Explosives <input type="checkbox"/> Fireworks <input type="checkbox"/> Blasting Agents <input type="checkbox"/> Other (Specify) _____ <input type="checkbox"/> Low Explosives	\$200	\$100	Limited Permit: (Intrastate Only) (Check the types of explosives you plan to use) <input type="checkbox"/> High Explosives <input type="checkbox"/> Fireworks <input type="checkbox"/> Blasting Agents <input type="checkbox"/> Other (Specify) _____ <input type="checkbox"/> Low Explosives	\$25	\$12
Dealer: (Check the types of explosives you plan to deal in) <input type="checkbox"/> High Explosives <input type="checkbox"/> Low Explosives <input type="checkbox"/> Blasting Agents <input type="checkbox"/> Fireworks <input type="checkbox"/> Black Powder <input type="checkbox"/> Other (Specify) _____	\$200	\$100			

12a. Total Fees \$

13. Is a State or local license or permit required for explosive business and/or operations? (If yes, provide license/permit numbers; if applied for license/permit but not yet obtained, provide date of application)  Yes/Numbers or Date \_\_\_\_\_  No

14. The applicant's business and/or operations premises are:  
 Owned       Leased/Rented\*       Other (Specify) \_\_\_\_\_

15. The applicant's business and/or operation is located in:  
 A Commercial Building       A Residence       Other (Specify) \_\_\_\_\_

16. Hours of operation and/or availability of business activity (Please provide at least one hour in which you may be contacted by ATF personnel)

Time	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Open							
Closed							

Storage facility/magazine: 18 U.S.C. § 842(j) provides: "It shall be unlawful for any person to store any explosive material in a manner not in conformity with regulations promulgated by the Attorney General." An application for a license/permit can be denied if upon investigation it is found that any storage facilities/magazines do not comply with federal regulations.

17. Please indicate the total number and type of explosives storage magazine(s) you have and the address(es) where they are located: (Attach additional sheets if necessary)

Address, including county, State and ZIP code	Type 1 Permanent	Type 2 Mobile/Portable	Type 3 Portable Temporary	Type 4 Low Explosives	Type 5 Blasting Agents

18. If the applicant has no storage facilities, list the name and license/permit number of the entity providing contingency storage location in space below and attach contingency storage agreement letter. (See Instruction 11)

19. Does user permit applicant intend to transport explosive materials in interstate or foreign commerce? (If yes, state where)

N/A  No  Yes \_\_\_\_\_

20. Does user permit applicant intend to purchase explosive materials in interstate or foreign commerce? (If yes, state where)

N/A  No  Yes \_\_\_\_\_

21. Do you intend to deal in black powder? Do you have a federal firearms license? (If yes, provide the federal firearms license number)

No  Yes-Federal Firearms License # \_\_\_\_\_

**Certification**

22. Under the penalties imposed by 18 U.S.C. § 844, I certify that the answers are true, correct, and complete. I also certify that I am familiar with all published state laws and local ordinances relating to explosive materials for the location in which I intend to do business. In addition, if the application is for a Limited Permit, I certify that I will not receive explosives materials on more than six separate occasions during the 12-month period for which my limited permit is valid.

Signature	Title	Date
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**For Bureau of Alcohol, Tobacco, Firearms and Explosives Use Only**

23. Application is <input type="checkbox"/> Approved <input type="checkbox"/> Withdrawn* <input type="checkbox"/> Disapproved* *(Fee will be refunded)	Reason for Disapproval/Termination
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Signature of Licensing Official	Date
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DRAFT

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All Applications are to be Submitted to:  
**Bureau of Alcohol, Tobacco, Firearms and Explosives**  
**ATF National Services Center**  
**Federal Explosives Licensing Center**  
**P.O. Box 6200-18**  
**Portland, OR 97228-6200**

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**Instructions**

1. Issuance of your FEL/P under 18 U.S.C., Chapter 40, will be delayed if the fee is omitted or incorrect, or if the application is incomplete or otherwise improperly prepared. This application should be submitted at least 90 days prior to the time the license or permit is required.
2. Submit the original of this form (*either typewritten or printed legibly*) and total fees payable to the Bureau of Alcohol, Tobacco, Firearms and Explosives to the post office box listed above.  
(*Caution: Submission of this application does NOT authorize you to engage in any of the activities covered by the requested license or permit. The license or permit must be received before operations commence.*) Include your social security or employer identification number on your check or money order.
3. If separate sheets are needed to respond to the questions, they must be identified with your name and address at the top of the page and reference the question number being explained.
4. A separate or additional license is not required for storage facilities operated by the applicant as an integral part of ones business premises, or to cover a location used by the applicant solely for maintaining required records.
5. Only one user permit per person is required under this part, irrespective of the number of locations relating to explosive materials operated by the holder of the user permit.
6. A separate application and **license** fee are required for each premises at which a person engages in the business of manufacturing, importing, or dealing in explosives materials.
7. It is not necessary for a licensed manufacturer or importer to also obtain a dealer's license in order to engage in business as an explosives material dealer, on his or her licensed premises. In the case of a licensed manufacturer, a separate license is not required with respect to onsite manufacturing.
8. All responsible persons must complete a Responsible Person Questionnaire– ATF Form 5400.13A/5400.16 Part B, which is to accompany this application. Issuance of your license or permit will be delayed or denied if Part B is incomplete or missing.
9. All Employee Possessors must complete a Employee Possessor Questionnaire, ATF Form 5400.28 which is to accompany this application.
10. For item 16 A “**contingency storage agreement**” is required for explosive materials that cannot be used within the same day of receipt. For example, a sufficient “contingency storage agreement” would include a letter from an explosives licensee or permittee having approved storage facilities available for use by the applicant as needed.
11. The certification in item 22 must be signed by someone who will be a Responsible Person of the business, such as the owner, a partner, or in the case of a corporation, association, etc., by an officer duly authorized to sign for the applicant.
12. **If you have any questions relating to this application, please contact the ATF National Services Center, Federal Explosives Licensing Center, 244 Needy Road, Martinsburg, WV 25405, (877) 283-3352, or review information online at [www.atf.gov](http://www.atf.gov).**
13. If the application is approved, you will receive an FEL/P issued by the Federal Explosives Licensing Center. If the application is denied, you will be advised in writing of the reason(s) for the denial. If the application is abandoned, denied, or withdrawn, your application fee will be refunded. However, a social security number or employer identification number is required to process a refund request.

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**Definitions**

*(for additional definitions, please see 27 C.F.R. § 555.11)*

1. **Alien.** An alien means any person who is not a citizen or national of the United States.
2. **Responsible Person.** An individual who has the power to direct the management and policies of the applicant pertinent to explosive materials. For example, responsible persons generally include sole proprietors and explosives facility site managers. In the case of a corporation, association, or similar organization, responsible persons generally include corporate directors and officers, as well as stockholders who have managerial powers and enforce policies.
3. **Employee Possessor.** An employee possessor is an individual who has **actual or constructive possession** of explosive materials during the course of his employment.

**Actual possession** exists when a person is in immediate possession or control of explosive materials (*e.g., an employee who physically handles explosive materials as part of the production process; an employee who handles explosive materials in order to ship, transport, or sell them; or an employee, such as a blaster, who actually uses explosive materials*).

**Constructive possession** exists when an employee lacks direct physical control over explosive materials, but knowingly has the power and intention to exercise dominion and control over the explosive materials, either directly or indirectly through others (*e.g., an employee at construction site who keeps keys for magazines in which explosive materials are stored or who directs the use of explosive materials by other employees*).

**You Must Immediately Contact ATF To Report Lost or Stolen Explosives!**  
**Call Toll Free: 1-888-ATF-BOMB**

## Privacy Act Information

4. **A User Permit.** A User Permit authorizes the holder, on a continuing basis, to acquire for his own use and not for resale, explosive materials from an explosives licensee in interstate or foreign commerce, and to transport explosive materials so acquired in interstate or foreign commerce. A User Permit is issued for three years and is renewable.
5. **Limited Permit.** A limited permit authorizes the holder to receive for his use explosive materials from a licensee or permittee in his State of residence on no more than six occasions during the 12-month period in which the permit is valid. A limited permit does not authorize the receipt or transportation of explosive materials in interstate or foreign commerce.
6. **Manufacturer.** Any person engaged in the business of manufacturing explosive materials for purposes of sale or distribution or for his own use.
7. **Importer.** Any person engaged in the business of importing or bringing explosive materials into the United States for purposes of sale or distribution.
8. **Dealer.** Any person engaged in the business of distributing explosive materials at wholesale or retail.
9. **High Explosives.** Explosive materials that can be detonate by means of a blasting cap when unconfined (*for example, dynamite*).
10. **Low Explosives.** Explosive materials that can be deflagrate when confined (*for example, black powder*).
11. **Blasting Agents.** Any material or mixture, consisting of fuel and oxidizer, intended for blasting, not otherwise defined as an explosive: provided that the finished product, as mixed for use or shipment, cannot be detonated by means of a numbered eight test blasting cap when unconfined (*for example, ammonium nitrate fuel oil*).

**Note:** There are now five broad categories of explosives licenses and permits that will determine the type of business each licensee or permittee is engage in: Manufacturer of Explosives, Dealer of Explosives, Importer of Explosives, User of Explosives, and Limited Permit (*Intrastate Only*).

### Exceptions

1. A person who has been convicted of a felony, or any other crime, for which the judge could have imprisoned the person for more than one year, is not prohibited from shipping, transporting, possessing, or receiving explosives if: (1) the conviction was properly invalidated by a court on the basis that the conviction was unconstitutional; (2) in the case of a Federal conviction, the person received a Presidential pardon; or (3) ATF granted relief from Federal explosives disabilities under 18 U.S.C. § 845(b).
2. For purposes of this form, aliens can be responsible persons if they are lawful permanent residents, lawful non-immigrants, or refugees/asylees. 18 U.S.C. §§ 842(d)(7) and 842(i)(5).

The following information is provided pursuant to Sections 3 and 7(b) of the Privacy Act of 1974 (5 U.S.C. § 552a(e)(3));

1. **Authority.** Solicitation of this information is made pursuant to 18 U.S.C. § 843(a). Disclosure of this information by the applicant is mandatory if the applicant wishes to obtain a Federal explosives license or permit.
2. **Purpose.** To identify the applicant; to identify the location of the premises; to determine the eligibility of the applicant to obtain such license or permit; to determine the ownership of the business or operations; and to identify responsible persons in the business or operations.
3. **Routine uses.** The information will be used by ATF to make a determination as set forth in paragraph 2. In addition, information may be directly disclosed to other Federal, State, foreign and local law enforcement and regulatory agency personnel to verify information on the application and to aid in the performance of their duties with respect to the regulation of explosives unless such disclosure is prohibited by law. Finally, the information may be disclosed to members of the public in order to verify the information on the application where such disclosure is not prohibited by law.
4. **Effects not supplying the requested information.** Failure to supply complete information will delay processing and may cause denial of the application.
5. **Disclosure of Social Security Number (SSN).** Disclosure of the individual's SSN is voluntary. Under 18 U.S.C. §§ 842(f) and 843; and Executive Order 9397, November 22, 1943, ATF has the authority to solicit an individual's SSN. The number may be used to verify the individual's identity.

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### Paperwork Reduction Act Notice

This request is in accordance with the Paperwork Reduction Act of 1995. The information collection is used to determine the eligibility of the applicant to engage in certain operations, to determine the location and extent of operations, and to determine whether the operations will be in conformity with Federal laws and regulations. The information requested is required to obtain or retain a benefit and is mandatory by statute (18 U.S.C. § 843).

The estimated average burden associated with this collection is 1 hour and 30 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 directed to Reports Management Officer, Resource Management Staff, Contract and Forms Section, Bureau of Alcohol, Tobacco, Firearms, and Explosives, 99 New York Avenue, NE, 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 Office of Management Budget control number.