

Lexington  
Virginia

Fire Marshal Office

708 South Main Street  
Lexington, Virginia 24450  
(540) 463 – 3210

**Application for *Emergency or Special Operations* permit to USE explosives**

**Please read and follow all instructions; application must be complete for approval**

1. Applicant Name/Company:	2. Applicant Phone #:
3. Applicant Mailing address:	
3b. Applicant Email address:	Applicant FAX #:
4. Applicant Physical address if different from Line 3:	
5. City/State/Zip:	6. Applicant FID (Federal Identification Number):

7. "Designated individual": (Print name, Last, First, MI) See instructions for more information on "Designated individual".	Card number: (Photocopy of card is to be attached to this application.)
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**8. NOTICE**

The Statewide Fire Prevention Code (SFPC) Section 5601.1, Exception #5 excludes from the code *"the use of explosive materials by federal, state and local regulatory, law enforcement and fire agencies acting in their official capacities."* This application is for a permit to USE explosives by entities that are not the beneficiaries of such exemption but, must use explosives within a set of circumstances that may be of an emergency nature, or for special operations, neither of which can wait for the normal application and review process. Examples of emergency or special operations are:

1. Outside normal business hours, the use of explosives to facilitate the removal of rockslide debris from roadways, the installation of utility poles to restore power, etc.
2. The removal or transportation of hazardous materials, including ordinance disposal. The situation is of such nature that the removal or transportation of the material itself would expose the public to an unacceptable risk and the immediate disposal of the hazard materials by detonation *in place* is the most viable method.

For an emergency it is not necessary to make application and receive the permit prior to the use of explosives under the emergency provisions of the SFPC as administered by the SFMO. But, through a subsequent review, the SFMO administratively requires the concurrence or validation of local officials to determine the use was truly under emergency conditions. Failure to obtain this concurrence to use explosives could result in the issuance of a Notice of Violation or summons to court for failing to obtain the routine permit to USE explosives as required by the SFPC.

Even though the emergency may have passed, a permit will be issued and will be valid for 7 days from the date of issuance in the event explosives are still necessary for follow-up work. This does not apply to Special Operations that are outside the scope of an emergency. Special Operations permits must be secured prior to the use of explosives.

Please provide the name and telephone number of the local official that aided in the determination of the emergency (con't next page):

Name of local fire official:	Telephone number:
Name of local fire official's agency or department:	
Local agency's full mailing address:	

**9. Provide a short written narrative of the circumstance or condition necessitating the need for an emergency or special operations permit to use explosives. To ensure a permit is issued without undue delay, include all pertinent information conducive to remotely evaluating the application without a site visit by LFMO personnel. (See instructions and attach additional pages if necessary.)**

**10. The use of explosives under this permit application will occur at (Provide address, nearest intersection[s] or GPS coordinates):**

\_\_\_\_\_

within the jurisdictional boundaries of the City of Lexington, Virginia, on (date) \_\_\_\_ / \_\_\_\_ / 20\_\_.

**11. Certified Blasters.** List the certification numbers of those persons the applicant is authorizing to operate under this permit application. A blasting operation using explosive materials shall only be performed by a Va. SFMO certified blaster. Non-certified personnel may use explosives but, only when under the direct on-site supervision of a Va. SFMO certified blaster. (Attach additional pages as needed.)


**12. Conviction of a Felony**

Have you ever been convicted of a felony?       Yes    No

If yes, have your voting rights been restored?       Yes    No

If yes, when restored? (required)                      Mo\_\_\_\_ Day\_\_\_\_ Year\_\_\_\_\_

**13.** By my signature below, I attest the above information is correct and I acknowledge and agree to comply with all requirements of the Virginia Statewide Fire Prevention Code (SFPC); including but, not limited to:

- a. Blast records shall be kept in accordance with Section 5607.16 and made available for inspection by the LFMO representative upon request;
- b. Any airblast and/or ground vibration generated as a result of the functioning of the explosives shall be within limits established in NFPA 495-10 as it is referenced in the Statewide Fire Prevention Code;
- c. All flyrock (debris) will be confined to the blast site as it's defined and required in the Statewide Fire Prevention Code;
- d. A bond or insurance policy in an amount not less than \$1,000,000.00 is provided and documented proof is attached to this application; or is on file with the SFMO; or is readily available on site; and
- e. Any permit issued for an emergency condition or for a special operation, is site specific, expires 7 days from the date of issuance, and is non-renewable.

**14.** Signature of person named on line 7:

**15.** Date:

**16.** Should a permit be issued based upon this application, it will not be for any other jurisdiction other than the jurisdiction shown on line 10 of this application and for the specific incident or circumstance for which it is issued.

**17.** There are no fees levied with this application when the cited blasting operation relates to an existing City of Lexington, Virginia, approved and remitted building permit.

**18.** Return the completed application and related documentation to:

City of Lexington Fire Marshal  
708 South Main Street  
Lexington, Virginia 24450  
Ph: (540) 463 - 3210  
Fax: (540) 463 - 9318

## **Follow and complete all instructions**

### **Instructions for application:**

All information must be printed in ink or typewritten.

**Line 1.** Provide name of person or company applying for a permit.

**Line 2.** List telephone number where applicant may be reached.

**Line 3 & 3b.** Use mailing address where the applicant can expect the quickest service. If available, provide email address and/or fax number.

**Line 4.** What is the physical address (location) of the permit applicant if it's different from the mailing address given?

**Line 5.** List city, state and zip code for the complete mailing address.

**Line 6.** Write in the Federal Identification Number ("FIN") as provided by the IRS for the company applying for the permit. The FIN is the unique identifier the Lexington Fire Marshal Office ("LFMO") uses to establish its database for permits. All permits, past, present and future, are listed under the applicant's FIN.

**Line 7.** A "designated individual" is defined as "a person in possession of a Background Clearance Card (BCC) issued by the State Fire Marshal Office ("SFMO") or is certified by the SFMO as a Blaster, ...(either of) whom are responsible for (i) ensuring compliance with state law and regulations relating to blasting agents and explosives, (ii) applying for explosives or fireworks permits, (iii) is at least 21 years of age, and (iv) shall demonstrate the capability to effectively communicate safety messages, verbally and in writing, in the English language.

The "designated individual" is to print their name and card number in the spaces provided. In accordance with SFPC Section 5601.2.3.1, the LFMO shall deny the application for permit if the application does not contain a designated individual's name (line 7) and signature (line 14). Attach a photo-copy of the designated individual's card to the application. (A Blaster listed on Line 11 may also be a designated individual and may result in repetitive listing.)

► **IMPORTANT:** In accordance with SFPC Section 5601.2.3.1, if the applicant's designated individual changes or becomes no longer qualified to represent the applicant as responsible management or designated individual, the applicant shall notify the LFMO on the change of status. The notice is to be made prior to the use of any explosives but, in no case shall the notification occur more than seven days after the change of status and shall provide the name of another designated individual. The LFMO may revoke or require the re-issuance of a permit based upon a change of permit conditions or status or inability to provide another designated individual.

**Line 8.** Emergency declaration information is provided on line 8. If it is not an emergency, the permit for Special Operations must be secured fifteen (15) days prior to the use of explosives.

**Line 9.** Provide a written narrative and include all information necessary to evaluate the merits and need for a permit to use explosives under an emergency condition or for a special operation. Sufficient information and clarity should be provided so that a permit could be issued without the delay of conducting a site visit by the LFMO prior to permit issuance. The type of information to accompany the application may include, but is not limited to, what adverse effects people and property may be exposed to, what measures are being taken to protect people and property from such exposures, a listing of all hazardous materials and their quantities, if any are present or involved, and the circumstances that require or merit the use of explosives, etc.

**Line 10.** In addition to an anticipated date for using explosives, provide an address, the nearest intersection(s) or GPS coordinates where the use of explosives will take place.

**Line 11.** Section 5607.1 of the SFPC allows only those persons who are "certified by the SFMO as a restricted or unrestricted blaster" or "supervised on-site by a person properly certified by the SFMO as a restricted or unrestricted

blaster,” to engage in the use of explosives or blasting agents. List the certification numbers of the persons who the applicant is authorizing to use explosives under this permit application.

**Line 12.** Pursuant to § 27-97.2 of the Code of Virginia, any person, as an individual or as a representative of a company, who applies for a permit to manufacture, store, use, handle or sell explosives shall not have been convicted of any felonious act, or had their rights restored by the Governor or other appropriate authority. Indicate whether you, as the applicant, have ever been convicted of a felonious act.

**Lines 13 through 17:** Self-explanatory. Submit the completed application to the address listed at the bottom of the application.

**Line 18:** Address where to return the application.

**An incomplete application is subject to return without processing**

**IMPORTANT:**

Application must include a photocopy of the Blasters Certification Card or Background Clearance Card issued to the individual whose name is printed on line 7, and is signing line 14.