



U.S. Department
of Transportation
**Pipeline and Hazardous
Materials Safety
Administration**

1200 New Jersey Avenue, SE
Washington, DC 20590

NOTICE OF ENFORCEMENT DISCRETION REGARDING SHIPMENTS OF DETONATORS

The U.S. Department of Transportation's (DOT) Pipeline and Hazardous Materials Safety Administration (PHMSA) is providing notice that it will not take enforcement action against offerors or carriers using the proper shipping names for electronically programmable detonators (as listed in the Hazardous Materials Table (HMT) at 49 CFR § 172.101) because the two industry standards currently incorporated by reference in 49 CFR § 171.7 have not been updated to include proper shipping names for these items. The two publications include:

- The 2019 version of the Institute of Makers of Explosives (IME) Safety Library Publication 22 (i.e., SLP-22) titled "Recommendations for the Safe Transportation of Detonators in a Vehicle with Certain Other Explosive Materials."
- The 2021 version of IME Safety Library Publication 23 (i.e., SLP-23) titled "Recommendations for the Transportation of Explosives, Division 1.5, Ammonium Nitrate Emulsions, Division 5.1, Combustible Liquids, Class 3, and Corrosives, Class 8 Bulk Packaging."

On July 26, 2022, PHMSA published a final rule titled "*Hazardous Materials: Harmonization with International Standards*" under Docket No. PHMSA-2019-0030 (HM-215P)¹ to maintain alignment with international regulations and standards by adopting various amendments, including changes to proper shipping names, hazard classes, packing groups, special provisions, packaging authorizations, air transport quantity limitations, and vessel stowage requirements. As a part of this final rule, PHMSA adopted new proper shipping names in the HMT for detonators including: "UN0511, Detonators, electronic programmable for blasting," "UN0512, Detonators, electronic programmable for blasting," and "UN0513, Detonators, electronic programmable for blasting." In addition, on March 4, 2024, PHMSA published a final rule titled "*Hazardous Materials: Adoption of Miscellaneous Petitions and Updating Regulatory Requirements*" under Docket No. PHMSA-2020-0102 (HM-219D)² that incorporated the 2019 version of SLP-22 and the 2021 version of SLP-23.

The 2019 version of SLP-22 and the 2021 version of SLP-23 that were submitted to PHMSA by IME and subsequently incorporated by reference in § 171.7 did not include the new proper shipping names for electronically programable detonators added as part of the HM-215P final

¹ 87 FR 44944 (Jul. 26, 2022)

² 89 FR 15636 (Mar. 4, 2024)

rule. This discrepancy is causing the frustration of electronically programmable detonator shipments transported under the IME SLP-22 and SLP-23 publications.

Using the more detailed proper shipping names added in the HM-215P final rule has no detrimental impact on transportation safety. Therefore, PHMSA will not take enforcement action against offerors or carriers using those proper shipping names. This notice of enforcement discretion shall remain in effect until PHMSA incorporates by reference in the HMR updated versions of SLP-22 and SLP-23 referencing the new proper shipping names.

This notice is limited to the shipment of electronically programmable detonators under the IME SLP-22 and SLP-23 publications. Offerors and carriers must comply with all other obligations under the HMR and other applicable laws. This document is a temporary notice of enforcement discretion. Regulated entities may rely on this notice as a safeguard from departmental enforcement as described herein, but it does not have the force and effect of law and is not meant to bind regulated entities in any way. This enforcement discretion has been coordinated with and endorsed by the Federal Motor Carrier Safety Administration. For information on the HMR, contact the Hazardous Materials Information Center at 1-800-467-4922 or infocntr@dot.gov.

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William S. Schoonover
Associate Administrator for Hazardous Materials Safety